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PROCEEDINGS

OF THE

MASSACHUSETTS HISTORICAL SOCIETY.

Committee of Publication.

EDWARD J. YOUNG.
ALEXANDER McKENZIE.
CHARLES C. SMITH.

Edward Everett.

PROCEEDINGS

OF THE

Massachusetts Historical Society.

SECOND SERIES. — VOL. XVIII.

1903, 1904.

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PREFACE.

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In this volume is comprised the record of eleven stated meetings, from November, 1903, to December, 1904, both inclusive. Among the communications which will immediately arrest attention are the paper by the President on Queen Victoria and Our Civil War; Hamilton's Notes of the Debates in the Federal Convention of 1787, communicated by Mr. Ford; the biographical sketches of Rev. Samuel Langdon by Mr. Sanborn and of General John Thomas by Mr. Lord; Mr. Schouler's account of the Massachusetts Convention of 1853; and Mr. Livermore's paper on the Numbers in the Confederate Army. There are also appreciative tributes to members who have died during the year, including Theodor Mommsen, William E. H. Lecky, Sir Leslie Stephen, and Edward McCrady on the Honorary or Corresponding Rolls; and George H. Monroe, Egbert C. Smyth, E. Winchester Donald, George F. Hoar, Henry W. Taft, John S. Brayton, and Samuel E. Herrick among the Resident Members; besides the usual number of hitherto unpublished documents and other interesting communications. Memoirs and por-

traits of seven deceased members will likewise be found in the volume, — Edward Everett, Roger Wolcott, Horace Gray, Henry S. Nourse, Edward L. Pierce, Edmund Quincy, and Paul A. Chadbourne. The portrait of Mr. Everett, which stands as the frontispiece, is from an oil painting by Gilbert Stuart Newton, now in the possession of Mr. Everett's nephew, Rev. Dr. Edward E. Hale. This portrait is believed to have been painted in London in the summer of 1818, as both Mr. Everett and Mr. Newton were in England at that time and apparently saw much of each other, — Mr. Newton even planning to go down to Liverpool with Mr. Everett when the latter sailed for home to assume the duties of the Greek Professorship in Harvard College. The other portraits are from photographs furnished by relatives of the members represented.

For the Committee,

CHARLES C. SMITH.

Boston, February 11, 1905.

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OFFICERS

OF THE

MASSACHUSETTS HISTORICAL SOCIETY,

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THOMAS W. HIGGINSON, LL.D. . . . . CAMBRIDGE.

Additional Member of the Council.

ARTHUR T. LYMAN, A.M. . . . . BOSTON.

RESIDENT MEMBERS,

AT THE DATE OF THE PRINTING OF THIS BOOK, IN THE ORDER OF THEIR ELECTION.

1860.

Hon. Samuel Abbott Green, LL.D.
Charles Eliot Norton, D.C.L.

1861.

Rev. Edward Everett Hale, D.D.

1865.

Josiah Phillips Quincy, A.M.

1866.

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1867.

Charles Card Smith, A.M.

1871.

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1873.

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1875.

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1876.

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1877.

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1878.

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1879.

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1880.

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1881.

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1890.

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1891.

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1892.

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1897.

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1905.

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1871.

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1887.

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1896.

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1899.

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1901.

Pasquale Villari.

1902.

Henry Charles Lea, LL.D.

1904.

Adolf Harnack.
Rt. Hon. John Morley, LL.D.
Goldwin Smith, D.C.L.

1905.

Ernest Lavisse.

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1877.

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1878.

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1881.

Rev. Henry Martyn Baird, D.D.

1883.

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1886.

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1887.

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1894.

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Woodrow Wilson, LL.D.
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1898.

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John Franklin Jameson, LL.D.

1899.

Rev. William Cunningham, LL.D.

1900.

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1903.

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Auguste Moireau.
Hon. Horace Davis, LL.D.

1904.

Sidney Lee, Litt.D.
Frederick Jackson Turner, Ph.D.
Sir Spencer Walpole, K.C.B.

1905.

William Archibald Dunning, Ph.D.
James Schouler, LL.D.

MEMBERS DECEASED.

Members who have died, or of whose death information has been received, since the last volume of Proceedings was issued, December 21, 1903, arranged in the order of their election, and with date of death.

Resident.

Rev. Egbert Coffin Smyth, LL.D.	April 12, 1904.
Hon. George Frisbie Hoar, LL.D.	Sept. 30, 1904.
Rev. Samuel Edward Herrick, D.D.	Dec. 4, 1904.
Henry Walbridge Taft, A.M.	Sept. 22, 1904.
Hon. John Summerfield Brayton, LL.D.	Oct. 30, 1904.
Rev. Elijah Winchester Donald, D.D.	Aug. 6, 1904.

[The Resident Membership of Rev. Arthur Latham Perry, LL.D., was terminated by resignation Dec. 8, 1904, and that of James Schouler, LL.D., was terminated Dec. 27, 1904, by his removal from Massachusetts.]

Corresponding.

John Foster Kirk, LL.D.	Sept. 21, 1904.
Hermann von Holst, Ph.D.	Jan. 20, 1904.
Sir Leslie Stephen, K.C.B., LL.D.	Feb. 22, 1904.

PROCEEDINGS

OF THE

MASSACHUSETTS HISTORICAL SOCIETY.

NOVEMBER MEETING, 1903.

THE stated meeting was held on Thursday, the 12th instant, at three o'clock, P. M.; the President, CHARLES FRANCIS ADAMS, LL.D., in the chair.

The record of the October meeting was read and approved; and the usual monthly reports were presented, the Librarian's report covering a period of two months.

Mr. Moorfield Storey was elected a Resident Member.

A letter was read from the chairman of the State House Commission, asking for suggestions as to a public memorial or memorials of John Adams, second President of the United States, and of John Quincy Adams, sixth President of the United States; and in accordance with a recommendation of the Council it was

Voted, That Messrs. Hoar, Hale, and Norton be a Committee to represent the Society in the matter of a memorial or memorials to John Adams, the second President of the United States, and John Quincy Adams, the sixth President of the United States, both former members of the Society, in compliance with the invitation of the State House Commission of October 19, 1903.

The PRESIDENT said: —

In that biography of Gladstone which is now on so many tables and in the hands of such a multitude of readers, Mr. Morley tells us that when about to face one of his great parliamentary ordeals, it was the habit of Mr. Gladstone to have

recourse to his biblical recollections, whence to fortify himself with some text appropriate to the occasion. So on the 8th of April, when he was to lay before the House of Commons his plan of Irish Home Rule, this entry appears in the pocket diary it was his custom to keep, — "The message came to me this morning: 'Hold thou up my goings in thy path, that my footsteps slip not.'" Needless to say I am no more Mr. Gladstone than is this the Commons House of Great Britain; but reading the above the other day in Morley's book, it did occur to me that, were I to select an appropriate text for this particular meeting of the Society, I should find it in the twelfth verse of the tenth chapter of First Corinthians, — the familiar precept, "Let him that thinketh he standeth take heed lest he fall." A month ago we met after the usual summer intermission, and, referring to the corresponding meeting of four years before, when it had devolved on me to announce four vacancies on our roll, all of which had occurred during the summer then just ended, I ventured to congratulate myself and the Society that we now met with a membership in no way diminished, our roll of Resident Members when we that day adjourned numbering 99, that of Corresponding Members 50, that of Honorary Members 8, — a total membership of 156, our full number being 160. "Let him that thinketh he standeth take heed lest he fall"; to-day the membership of a month ago is noticeably reduced, — instead of 156 it stands at 152. George Harris Monroe, a Resident Member, died at his house in Brookline on the evening of Thursday, October 15; and General Edward McCrady, a Corresponding Member, died at Charleston, South Carolina, on the 1st instant. The interval since our October meeting has, however, been made more and otherwise memorable by the disappearance from the historical firmament of two luminaries so widely recognized as to have found a place on our severely restricted Honorary Roll, — William Edward Hartpole Lecky died at his house in Onslow Gardens, London, October 22; and, last and greatest of all, Theodor Mommsen, full of years and laden with honors, passed away at his home in Charlottenburg, Prussia, on the morning of Sunday, November 1.

It is not customary for the presiding officer here, when announcing deaths that have occurred, to do more than refer briefly to the connection with the Society of those who are

gone; and, in accordance with our usage, I shall presently call upon members of the Society to offer appreciations of each of those I have named. First, of our Resident Member. Born in Dedham, August 28, 1826, Mr. Monroe was already approaching the seventy-second milestone of life when, at our April meeting of 1898, he was chosen into the Society. When a man joins such a body as this at so late a period of life, he rarely, so to speak, becomes thoroughly habituated to it or actively concerns himself in it. It was so with Mr. Monroe. A frequent and interested attendant at our meetings, though heard at them less than we would have desired, he never served in the Council or upon any committee, or contributed a paper or memoir to our Proceedings. Well read historically, especially in our American annals, thought and observation with him bore fruit in that modern substitute for Homer's winged words, — incessant and long-continued contributions to the journalistic press; but here he was a silent spectator and listener. In his case, as in other cases I might easily mention, the fault, as well as the loss, was ours. He should have been elected twenty years earlier.

Of Edward McCrady little can be said in connection with this Society. A most careful and painstaking student and writer, he was chosen a Corresponding Member at our meeting of May, 1902, and at the date of his death his name had stood on our rolls seventeen months only. After his election he never chanced to be in Massachusetts, and accordingly he was known personally to but few of our associates. The same might be said of both Professor Mommsen and Mr. Lecky; indeed, I question whether either of these last two was ever even in America. Their names stood at the time of their deaths second and third on our Honorary Roll, Dr. Mommsen having been chosen at the October meeting, 1880, while Mr. Lecky followed in September, 1882. I am not aware that either of them made any contribution to our Proceedings. It is sufficient that their names graced our rolls.

Here perhaps I might stop, my function fulfilled. But I feel that in the case of one of these two I owe something more to the occasion and to myself. When, in 1794, Edward Gibbon died, this Society was in its earliest infancy. Indeed, though already three years an organization, its legislative act of incorporation bears date a few days more than one month after

the historian's death. James Sullivan, subsequently Governor of the Commonwealth, was its President, — its first President. To me at least it would now be curiously interesting could I turn back one hundred and ten years in the records of the Society and there find a characterization of Gibbon and an estimate of his historical work, as they appeared to him who then filled the chair I now occupy. I do not need to be told that Gibbon and his work were, at the time of his death, looked upon askance here in New England. I have already, on another occasion, called attention to the fact that in 1791 President Willard of Harvard College felt it incumbent upon him publicly to deny in the columns of the Boston "Centinel" a statement that "an abridgment of Gibbon's history" constituted "a part of the studies of the young gentlemen at our University."[1] He added that "it was never thought of for the purpose." Probably this view of the pernicious character of Gibbon's work was shared to the full by my first predecessor. Unfortunately, his judgment is not recorded, and in this case we do not know how Gibbon looked in the eyes of that particular one of his contemporaries. His death here passed unnoticed. I do not propose that it shall be so with him whom I am disposed to regard as the greatest and most noteworthy historical investigator and writer whose death has been recorded since 1794. Contemporaneous estimates of books, as of men, are apt to be wrong, and almost invariably the verdict, if not actually reversed, is greatly and variously modified. Will it be so with Mommsen? Time only can show.

[1] Proceedings, 2d series, vol xiii. p. 84.

This card of President Willard is now so curious that, as a matter of record, it is here given in full. It was printed in the issue of the "Columbian Centinel" for November 16, 1791, two days after it was written:—

For the *Centinel*.

Mr. Russell,

A writer in the *Centinel* of the last *Saturday*, under the signature of *Christianus*, says, "that an abridgment of Gibbon's history (if his information be true) is directed to make a part of the studies of the young gentlemen at our University." I now beg leave, through the channel of your paper, to acquaint that writer, as also the publick, that his information is *not true*. The system taught is Millot's *Elements* of *General History, ancient and modern*, and Gibbon's history was never thought of for the purpose.

Joseph Willard, *President*.

Cambridge, Nov. 14, 1791.

Having occasion elsewhere, three years ago,[1] to refer to Mommsen and his History of Rome, I confessed to judging of him by recollection only; for even then more than thirty years had passed since I had read his great work except in parts. I have since hardly more than looked into it, and for special purposes only. My impression of it, and of him as a writer — for the man himself I never saw — is, however, curiously fresh. It is the impression of something at once massive and individual. A writer of prodigious learning and Germanic self-poise, he seemed, as I remember, to pour forth the results of his investigations and thought with a disregard of conventionalities, traditions and accepted theories at once aggressive, dogmatic and contemptuous; yet all the time you felt the man knew that whereof he spoke. I do not propose to institute any comparison between him and Gibbon. Except in learning, iconoclasm and historical instinct the two were as different as writers well can be, — different in method, in temperament and in style. The one was sceptical, a philosopher with a dash of the cynic; the other a dogmatist: but both built on a solid foundation of knowledge, and neither respected any fact or theory simply because all previous writers had agreed to accept it, or because it had ossified into an article of faith. They questioned everything. The result was that those two have between them re-written twenty centuries of history, covering the slow rise and yet slower fall of the greatest Empire our world has yet seen; and from their hands the story came forth transmuted. Of what others can this be said? Indeed, scanning the whole field from Herodotus down, I am in all soberness of judgment disposed to say that Edward Gibbon and Theodor Mommsen constitute a class by themselves. So to-day we note the passing of an historical luminary than which none has shed a more widely diffused or more penetrating light.

Mr. Franklin B. Sanborn, having been called on first, read a tribute to Mr. Monroe as follows: —

Mr. President and Gentlemen, — Our good friend and late associate George H. Monroe was born in Dedham in August,

[1] Address at the Dedication of the Building of the State Historical Society of Wisconsin at Madison, October 19, 1900, p. 38.

1826, within a few days of the birth of another member, Senator Hoar, and also quite as near the birthday of Judge Francis Wayland, of New Haven. Of the three, Mr. Monroe was the first to depart, dying in October last, after a brief illness, at the age of a little more than seventy-seven years, — a long and useful but laborious life, and of late in much impaired health. Ten years ago last June, his lifelong friend Francis William Bird called at his editorial room in the "Herald" office, and then wrote to Monroe in these characteristic words: "I found it locked, as I have too frequently of late, and you reported to be at home sick. The old story! I have lectured and scolded you about your health, until I find it does you no more good than other people's lectures do me."

Mr. Bird died within a year, and Mr. Monroe had gone abroad in the intervening winter, to improve his own health by a season of rest and the diversions of European travel. Returning to his daily editorial duties, he continued them, with occasional vacations, usually from ill-health, until a few weeks before his death. The last time I saw him was near Park Street, early in October, slowly making his way towards the Subway train which was to take him to his comfortable Brookline home, and when I saw him next he was in his coffin.

Mild and bland as our friend was in his character and manners, he was a descendant of those formidable fighting Monros of Rossshire in northern Scotland, who were captured by Cromwell at one or more of his Scotch battles and sent in considerable numbers to New England and Virginia. Eleven of this name are said to have been under arms at the Lexington fight in 1775, and of one of the eleven I believe George Monroe was the grandson. Colonel Monroe, of Virginia, who passed through all the grades of public service, ending with eight years in the Presidency, and who has given his name to a much disputed and much varying doctrine, was descended, according to tradition, from Hector Monro, an officer in the regiment of which the Lexington Monroe was a member.

Born to no fortune, George Monroe learned the printer's trade, and passed through all the grades of that art and its post-graduate courses of editorial work. He was successively apprentice, journeyman, proof-reader, country editor of a weekly sheet, correspondent of great dailies, editor of a Bos-

ton weekly, — several of them, indeed, — and leader-writer in the most influential of our Boston dailies. He thus became an historian; for what is the newspaper but "the history of the world for a day," as a witty New York editor said? And I am inclined to think that a careful daily historian like Monroe is at once more laborious, more exact, and on the whole more useful to mankind, than any but the greatest authors of well-bound histories. It is common for orators, in pulpits and on platforms, to denounce "the sensational press" with a fine warm scorn, and accuse it of mendacity, malignity, and every sort of inconvenient publicity. But when I turn to the pages of sober history (so called) I find that to be also, in the opinion of later authors, mendacious, malignant, sensational, and every way unworthy of serious confidence. "What is history?" said Napoleon, that illustrious maker and falsifier of it, — "what is history but a fable agreed upon?" This is what one able editor says to another in the newspaper world, as in the world of printed volumes that can stand alone. Prejudice and party bitterness rage among grave historians with quite as much force, though with slightly different results, whether the subject be the conspiracy of Catiline, the assassination of Cæsar, the character of Cromwell, or the victory of Tammany in New York, and the exact number of hours a revolution must have been wound up to strike and succeed before (as Mr. Gladstone said of the handiwork of Jefferson Davis) a nation has been created.

Mrs. Oliphant, in her life of Principal Tulloch, having occasion to mention his friend James Hannay, editor of the Edinburgh "Courant," went on to describe him as "one of the many men of considerable gifts who sink in the sea of journalism and leave but small record of themselves, — not much more than a little wreckage upon the pitiless shore. He was, I believe, a good scholar and keen critic." On the other hand, Sir Leslie Stephen, in a recent magazine article, lets us know that, because he could not "come to terms with the XXXIX Articles," he had to accept the only practicable alternative, and exchange the pulpit for the press; adding that "the profession of journalism was becoming respectable." Nor was this wholly because young Leslie Stephen went into it, when his scruples excluded him from the pulpit; long be-

fore that, Thackeray and other first-class men of letters had given it what the English mean by respectability.

In the case of American journalists this had happened long before; hardly a statesman of any note in our republic but had dabbled in journalism, first or last. The greatest of them all, Ben Franklin, had begun at the printer's case, as Mr. Monroe did, and had pied many a harmless "form" in Boston and Philadelphia before he joined with Washington and the Adamses in pieing the venerable form of the British Empire as it then stood,

> And cast the kingdoms old
> Into another mould.

Mr. Monroe was not wrecked in the sea of journalism; he floated, carrying cargo for many a year on the comparatively calm lake of Boston politics and literature; and he contributed to the guidance and entertainment of our city and suburban people in this fortunate peninsula, which reminded Dr. Tulloch, when he was here some thirty years ago, of a happy blending of Edinburgh and Paris. (In passing, I may say that when, about the same time, I was escorting Lady Amberley in a carriage from Cambridge to the Radical Club in Boston, and suggested to her that Emerson had found in Edinburgh "a fatal resemblance to Boston," the calm and brusque lady looked out of the window, as we were driving along Charles Street, and missing the Calton Hill and the castled crag above Princes Street, coolly observed, "There is not the slightest similarity.")

There was something of the historian in Mr. Monroe, and he was a reservoir of the political annals of New England from the days of Clay and Webster to those of the sermonizing Roosevelt. But there was more of the moralist and daily counsellor in his practical rather than academic nature; though he carefully avoided exploiting his favorite theses, as is too much the temptation of those who ascend the pulpit-stairs of daily, weekly, or semi-occasional moralizing. It was in Georgia, I have heard (whence the Boston manufacturers in Monroe's early years used to expect what they styled "a spontaneous demonstration in favor of protection from Butler King's district in Georgia"), — it was in that State, I think, that a man sentenced to death for stealing a horse or a negro, when asked by the sheriff on the scaffold if he wished to make

a last dying speech, replied that if there was five minutes to spare, he *would* like to give the audience a few remarks in favor of a protective tariff. No such desperate economizing of editorial time was the habit of our friend. He wrote readily, from a full mind and long practice, but always with a certain margin of leisure around his well-reasoned and cogent leaders, and the letters he sent away to Hartford and New York when those cities found out what a good correspondent he was.

Like all of us who have to enlighten the world on matters political and literary, he was much indebted to the good company he kept when not at his desk or in his library. He had associated from the first with able politicians and journalists older than himself and more extreme in their views; in my own particular circle with Charles Sumner, Francis William Bird, William Robinson, and Henry Wilson. He had known Mr. Bird as a friend long before he came into the Bird Club as a member; and in the Memoir of Mr. Bird (which both Mr. Monroe and I toiled at before it passed to its final editor), he has told a pleasing anecdote of their early friendship. In the "Free-Soil" year, 1847, Mr. Bird, at a school-house in South Dedham, debated the issues, and challenged any Whig to meet him in debate there. Mr. Monroe, just come of age and a printer in his native town, accepted the challenge with the "temerity of youth and enthusiasm," as he says; and he then goes on: "I have never forgotten the kindness and courtesy with which he met me, a stripling opponent, — especially as they were in marked contrast to the manner of another Free-Soil leader, Edward L. Keyes. It was a signal proof of Mr. Bird's broad and tolerant nature that he admitted me at once into his friendship as the result of this discussion. We differed widely in politics, not only then, but for several years afterward, and yet he never ceased to be considerate and forbearing. I learned to admire and love him before I had any sympathy with him in his political views."

During the Civil War they came together politically, and for a time Mr. Monroe edited the weekly "Commonwealth," which was supported by Mr. Bird and his friends in the interest of slave emancipation. By 1872 they had lost faith in the Republican party, and publicly seceded, — Mr. Bird being the Democratic candidate for Governor, and Mr. Monroe for Secretary of State. Before this he had been in the Legislature, and

both before and after he served on the Boston School Committee to the satisfaction of everybody. His standard of public duty was high, and his service punctually rendered.

In his later editorial work he was patient of the fluctuations of popular opinion, which he was ever seeking to guide; but he became rather impatient of the moralizing sciolist in high place, who treats his fellow-citizens as if they were beginners in a Sunday-school class. Not long ago I asked him what he thought of one of our President's prairie speeches, which was making some stir in the press. "Oh, I never read him," was the reply. He had come to look on the ordinary struggles and wriggles of the office-seeking politician with a mixture of amusement and scorn, which, I suppose, is the true historical temper. *That* our late associate had, though he did little of the work commonly reckoned historical.

Mr. ALBERT B. HART spoke extemporaneously to the following effect: —

That I have this valued opportunity of touching on the life and public services of General Edward McCrady is probably due to the fact that within a few months I have been permitted to acquire the friendship of that large-minded man, and can speak from personal knowledge and from personal respect and affection.

General McCrady was born in Charleston April 8, 1833, and throughout his long life was always identified with that city, with the State of South Carolina, and with the South. He was a man of many sides, interested and eminent in many subjects. He early chose the law as his profession, and turned his mind upon the impending struggle between the sections. He did not discuss the question of State rights or secession; to his mind there was nothing to discuss, he never for a moment doubted that his community had the right to withdraw from the Union, and he supported that cause unhesitatingly and with absolute devotion. He told me himself that he was detailed on the 11th of April, 1861, to carry orders to all the fortifications commanding Fort Sumter to prepare for a bombardment, although the final orders were not given until twenty-four hours later.

As a soldier he showed the qualities of character and of

mind which distinguished him throughout his life, the bravest of the brave, the most self-sacrificing of the unselfish; yet few soldiers, however brave, would, like him, have arisen from a sick-bed and found a way to the front, in order to take part in the terrible fighting before Richmond, only, after the battle was over, to return to the bed of fever. He fought bravely, was repeatedly wounded, yet served to the end of the war. Like most men of high courage and great personal service, he had nothing to boast of, but would, if pressed, tell many incidents of those fearful experiences.

When the war was over, General McCrady returned to his practice and distinguished himself in constitutional law. It was he who suggested the ingenious theory, afterwards upheld by the Supreme Court of the United States, that a juror could not be asked whether he had been engaged in rebellion, since rebellion was a crime, and a man could not be compelled to testify against himself. In the law, as in everything he did, he loved to get to the bottom of the question, and showed himself clear-minded, resolute, and successful.

About 1879 he came forward for the first time as a public man, attracting the attention of his State by several articles on the suffrage, of which the most important was "The Necessity of Raising the Standard of Citizenship," published in 1881. General McCrady's purpose was to find a way in which the negro vote, which had recently been suppressed by fraud and violence, might be excluded by a legal and orderly process. He revived an old system of separate ballot boxes, and drafted the so-called "Eight Ballot-Box Law," which drew down upon the State the fiercest criticism from the North. It was intended to provide an intellectual qualification which would apply to the most ignorant white men as well as to the negroes, and it was subsequently carried out in a clause of the South Carolina Constitution of 1895 which was also drafted by General McCrady. That constitutional provision was complicated, and he was frank to own that he lost his own vote at the first election after it went into force because he forgot to go through all the preliminaries; but it seems a reasonable and justly administered provision.

Throughout his life General McCrady was a churchman, extremely interested in the affairs of the diocese, and everywhere beloved and honored for his zeal and his exemplifica-

tion of the Christian gentleman. He loved Saint Philip's Church, and one of his most interesting pieces of work is an historical account of that church, which with Saint Michael's is the object most revered by the people of Charleston. He was for many years churchwarden of Saint Philip's.

General McCrady's membership in the Massachusetts Historical Society was due to his high qualities as an historian. Leaving out of account his many historical articles and pamphlets, his reputation will rest chiefly upon his great work, "The History of South Carolina," extending from earliest colonization to the end of the Revolution, in four large volumes. General McCrady began his work on this history when many men are completing their life achievements, and he kept at it steadily, to the publication of the last volume less than two years ago. It is a work which at once gave him a great reputation throughout the country, except in one spot: the people of Charleston seemed unaware that they had in their midst an historical writer who had made himself an authority among American historians, and who thus conferred upon his city an additional honor. The merits of that work are well known. It has the drawbacks of a history written late in life by a man who never had a distinctly historical training, and whose mind and surroundings made it impossible to write with cold impartiality. He was a South Carolinian who was proud to make the glory of his Commonwealth known. He had some strong prejudices, and he wrote in a community where ancestor worship is still a recognized form of religion; yet it is a thoughtful, clear, and able work, a monument of learning and of skill, the more remarkable because written in a community from which he drew little literary stimulus; it is fresh, strong, original, and truthful.

General McCrady's book reflects the writer, a brave, strong, and beautiful character. In person he was aristocratic, a distinguished man. In his daily life there lived no simpler and more genuine man; absolutely without guile, doing his duty as he saw it from day to day. I have never met a man for whom from the first acquaintance I formed such feelings of respect and admiration. He fought upon the other side from my father, yet I thought the two men much alike. To me, therefore, the death of General McCrady comes as a personal loss; and I thank you for these few minutes in which to ex-

press, however imperfectly, the feeling that this was a man whom this Society, whom scholars everywhere, whom his American countrymen, should delight to honor.

Hon. DANIEL H. CHAMBERLAIN, who was absent from the State, having expressed a wish to join in the tribute to General McCrady, the following paper is inserted as a part of the record of the meeting: —

Edward McCrady was by date of election the forty-third Corresponding Member on the list of the Society at the time of his decease. Charleston, South Carolina, was the place of his birth, life, and death. There he was born, April 8, 1833, and there he died, November 2, 1903. He had thus passed the middle of his seventy-first year. His ancestry was distinguished and patriotic; his father, whose baptismal name he bore, having been an eminent member of the Charleston bar, quite unsurpassed there in some branches of his profession, and perhaps still more eminent for his courageous, unflinching, and lofty adherence to the Union cause as against nullification in the very year of General McCrady's birth. His brother, John McCrady, dying before middle life as Professor of Science in the University of the South, at Sewanee, Tennessee, was well known at Cambridge, where he was *par excellence* the favorite pupil of Louis Agassiz; and his death was deplored by the whole scientific world as a distinct and serious loss to science and learning.

Our friend and Corresponding Member received his early scholastic training in the excellent private classical schools then so flourishing and influential in Charleston and throughout the State of South Carolina, schools which trained and inspired many of the greatest men not only in the arena of the State but of the United States. He was graduated at the College of Charleston in 1853 at the age of twenty; and at once, under the personal hand of his father and in his office, began his law studies, was admitted to the bar at Charleston in 1855, and immediately entered upon the work of his profession in connection or partnership with his father.

The war of Secession — and the present writer will pause here to remark, however disconnected it may be from the theme of this paper, that this designation of the war which

went on in the United States from 1861 to 1865 seems to him the most accurately descriptive term which can be used, as well as one free from objection from either side as offensively characterizing what must long remain one of the great historical controversies of the nineteenth century, — the war was now imminent, and young McCrady at once interested himself specially in military affairs, and in 1859 was a member of a commission appointed by the Legislature to examine and report on the militia system of the State, he being at that time captain of a company of State guards. Late in 1860, but after the passage of the State ordinance of Secession, so called, he entered the military service of the State at the capture of Castle Pinckney, and served till the capture of Fort Sumter, April 13, 1861. He then entered the military service of the Confederacy as captain of a company of volunteers, and went with his command to Virginia in July, 1861, where his company was assigned to Gregg's Regiment of South Carolina Volunteers. He was promoted to be major in December, 1861, and to be lieutenant-colonel in July, 1862. During the summer of 1862 he took part in the battles of Cold Harbor, Cedar Run, and the Second Manassas, where he received a severe wound in the head which debarred him from joining in the following Maryland campaign. Rejoining his brigade, he was present at the battle of Fredericksburg in December, 1862. But in January, 1863, in camp at Morse's Neck, Va., he was seriously injured by a falling tree, which disabled him from further field duty. Though remaining with his regiment, he was unable to do duty and closed his active service at Mine Run, Va., in December, 1863, when he was transferred to the command of a camp of instruction at Madison, Florida, where he served till April, 1865, when, on his way to rejoin his regiment in Virginia, he was advised of General Lee's surrender.

In October, 1865, he again took up his profession in Charleston, and he never ceased to follow it devotedly and steadily till the day of his death. In his profession he was known as a laborious, astute, learned student of law, as well as an upright, skilful, and aggressive practitioner and a most trusted and faithful counsellor. His professional character, as distinguished from his professional work, was of the highest. For fully ten years after the war he confined himself closely to his

professional work, producing, however, many legal discussions in the "American Law Review," in the "Southern Law Review," and in the "Central Law Journal." At the same time he published political articles on passing topics, such as suffrage, public education, with other articles on railroads and railroad problems.

But historical subjects were even then foremost in claims on his time and thought. The list of topics, as well as papers and addresses, is long, and includes, with many others, the following: An address before the survivors of Company A, First Regiment S. C. V., Williston, South Carolina, on "The Real Cause of the War," 1882, republished in the Southern Historical Papers, 1888; "Education in South Carolina prior to the Revolution," a paper read before the Historical Society of South Carolina, 1883, pamphlet 4, Vol. IV., Historical Collections; "Gregg's Brigade of South Carolinians in the Second Battle of Manassas," an address before the survivors of the Twelfth Regiment S. C. V., 1884, republished in the Southern Historical Papers; "History of the Medical Profession in South Carolina," an address before the Medical College of South Carolina, 1885; Address before the Virginia Division of Army of Northern Virginia, at Richmond, on the "Formation, Organization, and Characteristics of the Army of Northern Virginia," in the Southern Historical Papers, 1886; "Heroes of the old Camden District, South Carolina, 1776 to 1861," an address to the Survivors of Fairfield County, delivered at Winnsboro, Southern Historical Papers, 1888; "The People of the State," an address before the Literary Society of Statesburg, South Carolina, 1889; the historical sketch of South Carolina in the work on Representative Men of the Carolinas.

In 1880 General McCrady was elected to the Legislature for Charleston County, and was re-elected annually until 1888. In 1882 he introduced and carried through the Legislature an Act to establish a Confederate bureau in the office of the Adjutant-General of the State, for the collection of war records, and to this bureau General McCrady presented all the material on that subject which he had so laboriously and diligently collected. By this act and his previous industry the record of South Carolina soldiers in the Confederate service is wellnigh complete, and for this work, of value alike as a heritage to the

people of the State and a mine for historical research and collated established facts, General McCrady is entitled to the credit. He also took an active part in passing and perfecting the railroad laws of the State, the stock law, and the local option laws; introduced the resolution endorsing Civil Service reform, and did effective service in favor of the "bill to prevent duelling." He was chairman of the Committee on Privileges and Elections, and a member of the Judiciary and Railroad Committees. Appointed in 1882 Major-General of South Carolina militia, he had much to do with bringing the militia of the State up to a high condition of efficiency and value. His services here won him the military title, by which he was ever afterwards known, of General.

In the Legislature General McCrady gave special attention to the election laws of the State, and was the author of the act known as the Eight-Box Act, for which it was claimed that it avoided the necessity of resort to force or violence to overcome the negro vote.

At the close of his legislative service in 1888 General McCrady entered upon a new line of work which occupied all the time he could spare from his profession till the close of his life. It was in this period, 1888 to 1903, that he did his most notable and valuable work, won his lasting fame, and earned the respect and gratitude to a singular degree of all his fellow citizens of South Carolina, the wider circle of his countrymen, and of historians and historical students everywhere. It is of this period and this part of his career that it seems proper specially to speak.

It would not be easy to name another instance of just such a career as a student and writer of history; for General McCrady never in any sense or degree abandoned his profession or its constant practice and pursuit. The last time the writer saw him was in June of the present year, as he sat in his office surrounded by law papers and law books and immersed in absorbing law work. In 1888, when his formal historical work was begun, he was fifty-five years of age, without fortune, compelled to earn his livelihood wholly by the practice of his profession. At this time he fixed his mode of work, and division of time and labor. During all the hours of the day he was at his office or in court. At nightfall he took up his historical work, continuing it according to his

strength or inclination, until he retired to sleep, usually about eleven to twelve o'clock. The two occupations were thus separated and never allowed to interfere or become mixed the one with the other. Working thus steadily, never hurriedly, with no daily stint or task fixed or thought of, he pursued his end, till in 1897 he published "The History of South Carolina under the Proprietary Government, 1670–1719," 762 pages; in 1899, "The History of South Carolina under the Royal Government, 1719–1776," 847 pages; in 1901, "The History of South Carolina in the Revolution, 1776–1780," 899 pages; in 1902, "The History of South Carolina in the Revolution, 1780 to 1783," 785 pages; a total of four volumes and 3,293 pages.

Measured merely by its quantity, its pages, this is a stupendous achievement; measured by its quality, it must be ranked high; measured by its difficulties and the personal conditions under which its author wrote, it may fairly be classed as one of the remarkable feats of authorship.

But perhaps it would be well to explain a little what is here meant by the difficulties of the work. South Carolina may, I am disposed to think, be called the most historical State of the Union. By this is meant the State in which has taken place the greatest number of events which have affected our whole country or have interested the world. No reference is here made to the greatness of single events, but to the sum total of events which may properly be called historical. For example, it is not suggested that any event has occurred in South Carolina which equals in its consequences, or has so profoundly influenced and impressed the world, as the landing of the Pilgrims at Plymouth and of the Puritans at Boston, or the first settlement at Jamestown, or the discharge of the first cargo of negroes in Virginia. But when one runs over the whole list of events in South Carolina of which the country and the world has taken more or less note, including especially the struggle with the red Indians, with the Spanish, and with pirates, in her early days; the events occurring there in the Revolution; the capture of Charleston by the British; the struggles of the patriots of the low country; such incidents as the martyrdom of Hayne; the great and peculiar feature of the partisan warfare in the State from 1776 to 1783; the valor and skill of the great partisan leaders; the part which

South Carolina bore in the Constitutional Convention of 1787; her part and spirit in the adoption of the Constitution; the great nullification episode; the career and leadership of Calhoun; the part of the State in pressing for secession; the attack on Fort Sumter followed by the great siege of Charleston; and the disaster to the Union forces at Fort Wagner, — when all these events and others of only a little less prominence are called to mind, it seems reasonable to say that South Carolina had, when General McCrady began his work, more historical material to be dealt with and set forth in due order and in readable and clear narrative than any other of our States could furnish. This difficulty, instead of being an embarrassment of riches, was an embarrassment of tangled and multitudinous events and incidents, which till then had not been dealt with except in a fragmentary, annalistic, and unscientific way. Literature, pure and simple, which can alone make the best historical writing, had never greatly flourished in South Carolina. The list of those who had attempted to use the material named for historical composition, whether in the form of histories proper, like Ramsay's work, or in the form of romances, like Simms's work, is a very short one. Politics, political writing and thinking, the development of political theses and theories, the propagation of political and constitutional tenets, had from the first thrown literature into the background. The effect of the war was, for a quarter of a century, to put out of mind, as well as out of reach of possible accomplishment, all plans and thoughts of historical writing or publishing except of a fugitive sort.

The field, then, when General McCrady took up his task was an open and practically unbroken, uncultivated one. The task was unique, as well as disheartening and forbidding to any but a man of strong will, of indomitable industry, and a patience and devotion which looked not for pecuniary profit or literary fame, but only to the pious object of telling the high story, the thrilling events, the far-reaching influences, which his native and well-loved State had enacted or originated in her first century and a quarter of life as a separate civil community. Precisely such a man was Edward McCrady. Not brilliant, not strictly literary by habit or endowment, not master to the last of a flowing or attractive style, he had what alone could cope with his problem — a firm grasp of facts, a power of

grouping and arranging them in orderly sequence, a scrupulous fidelity in gathering materials, above all, a will to work out his task, which never faltered. Fortunately, no doubt, for his success, he did not sit down and much survey the future of his work. What he could do from month to month he was contented to do, and whether he reached a particular distant goal or not did not greatly concern him. So, too, he wasted or used but little time in the work of revision after he felt he had made sure of the facts. He wrote, as he once remarked to the present writer, "as well as he could, and let it go at that." If with his rather deficient literary touch he had tried, between the age of fifty-five and seventy, to construct a literary monument, the great work he has now done and left to the world would never have been completed.

When he had finished the last volume of his history, he said to the present writer, "I have now reached a halting-place. I can go on again if I live and choose to do so, or I can rest finally where I am"; and he then proceeded to say that he had carefully turned over in his mind the scheme and contents of one more volume, and had gathered a good deal of material for it, but he had not then determined whether or not he should seriously set at work upon it. This volume was to cover the period from 1783 to at least 1789, and possibly the following decade, but to be principally or specially an effort to set forth the position of the State, her public men, and her people, on the Federal Constitution, and even more specially the story of the adoption of the Constitution by the Convention of South Carolina, with sketches of the personalities of the leaders, at that time, of the State. There is reason to believe he had before his death more fully, if not quite fully, determined to enter on this work, and that evidences or traces are left of his work in that direction.

It is of interest to note here that about a year ago the present writer took the liberty to invite and urge General McCrady to prepare a special article, as a Corresponding Member of our Society, and to read it in person before the Society. The thought evidently was grateful to him, and in a later interview he informed the writer that he had entered upon the preparation of such a paper, to bear the title "The Adoption of the Federal Constitution in South Carolina," or some equivalent title. How far he had gone in this work is

not known, but it is pleasant evidence of the regard he bore the Society and the value he put on his membership here, that he responded so quickly to this suggestion, remarking, as he did, "I will do anything in my power to gratify my friends in the Massachusetts Historical Society."

Of the merits of the volumes of General McCrady's History of South Carolina it might be profitable to speak at some length, but it is not necessary. His career, how he worked, and what he accomplished, and what he wished to accomplish, have been perhaps sufficiently set forth in what has now been said. All in all, he was a rare example of one who made the most of his talents; who worked conscientiously rather than ambitiously; who did good rather than great work; who always aimed at accuracy in matters of fact; who had his predilections even in historical matters, but who always gave his sources and authorities; and never forgot the decorum of the historian in the zeal of the pamphleteer, or the special duty which rests on all historical writers to do justly by historical characters who can no longer speak for themselves. Being once criticised by the present writer for what the latter deemed injustice done to General Greene in his last volume, and for some unfairness of judgment as between the merits of Sumter and Marion, his reply was, "Well, there are the facts for all to judge of. I have only given *my* judgment."

Some obvious defects of attitude and temper as well as method could easily be found in his work; one of which is expressed in the adage, "One often cannot see the woods for the trees." General McCrady sometimes fills his canvas with such a foreground of details as to hide and confuse the great features he seeks to delineate; another defect is that he sometimes seems to hold a brief for certain characters which he presents and which perhaps command his sympathy and admiration. If these be his defects, however, it may be added that they are common defects of all historians, from Thucydides to Gibbon and to Macaulay.

It would not be well to close this notice of General McCrady without some reference to one who was his constant encourager in his historical work, as well as often an adviser regarding materials and estimates of men and of events involved in General McCrady's histories. The reference is to that other Corresponding Member of the Society from South Carolina,

the Hon. William Ashmead Courtenay. This gentleman, while not the author of any formal history, has probably done more than any other man, now or at any time living in South Carolina, to promote the historical spirit, and especially to gather and make available historical materials. From 1880 to 1888 Mr. Courtenay was the mayor of the city of Charleston. The Year-Books, so called, of Charleston during that period are unsurpassed mines of historical wealth on all topics connected with the history of Charleston, besides containing much with reference to the history of the whole State. Whoever will open and turn over the pages of these eight volumes will be surprised, if he has theretofore been a stranger to them, at the value of the historical matter therein preserved. They cover a compendious but quite full sketch of the history of the city from 1783 to 1882, with lists of all city officers from the earliest date, histories of the churches of all denominations, of slavery in South Carolina, of nullification, of the Compromise Measures of 1850, of the War of Secession, of the defence of Charleston during the war, especially the struggle and Union disaster at Fort Wagner, the evacuation of Charleston in 1865, the reconstruction period, the great earthquake in Charleston in 1886, — by far the best record, I venture to say, in existence anywhere of that event, — the history of public education in Charleston and South Carolina from the earliest days ; and all accompanied by numerous reproductions of maps, and by fresh photographic illustrations of places and scenes, especially those connected with the earthquake, and numerous biographies of distinguished Charlestonians and South Carolinians, such as we should be unable to find elsewhere, — a veritable thesaurus of historical information for that city and State. It is pleasant to know of the long and mutually helpful friendship of these two devoted friends of historical work, the many conferences held by them on difficult points, their unselfish aid to all students of history interested in Charleston or South Carolina, — a pleasure heightened by the fact that the roll of Corresponding Members of the Society has borne the honored names of both.

It need only be added to complete this notice that General McCrady held the academic degree of LL.D. from the College of Charleston, and a like degree (*juris utriusque gradum*) from the University of South Carolina ; and of D.C.L. from the

University of the South. He was also at the time of his death the Second Vice-President of the American Historical Association, — an honor which, had his life been spared, would doubtless have ripened at the approaching meeting at New Orleans into the Presidency of that flourishing and powerful Association.

Of no man could it be more justly said that the end crowned and glorified the work, — *finis coronat opus.* With one heart and one voice his city and State mourned him by all simple and becoming funereal tokens of love and honor. A devoted churchman during all his life, his dead form rested before burial under the imposing arch and dome of venerable and war-tried St. Philip's Church, where he had been a vestryman for over twenty-five years, and was senior warden at the time of his death; and was borne to repose at last in the cemetery of the church, near the grave of John C. Calhoun.

In the presence of such "a hopeful euthanasy" Wordsworth's fine lines on the death of Fox naturally recur to memory, —

> "But when the great and good depart,
> What is it more than this —
> That Man, who is from God sent forth,
> Doth yet again to God return? —
> Such ebb and flow must ever be,
> Then wherefore should we mourn?"

Mr. JAMES F. RHODES read an estimate of Mr. Lecky: —

Amazement was the feeling of the reading world on learning that the author of the "History of Rationalism" was only twenty-seven, and the writer of the "History of European Morals" only thirty-one. The sentiment was that a prodigy of learning had appeared, and a perusal of these works now renders comprehensible the contemporary astonishment. The "Morals" (published in 1869) is the better book of the two, and, if I may judge from my own personal experience, it may be read with delight when young and re-read with respect and advantage at an age when the enthusiasms of youth have given way to the critical attitude of experience. Grant all the critics say of it, that the reasoning by which Lecky attempts to demolish the utilitarian theory of morals is no longer of value and that it lacks the consistency of either the orthodox or the

agnostic, that there is no new historical light, and that much of the treatise is commonplace, nevertheless the historical illustrations and disquisitions, the fresh combination of well-known facts are valuable for instruction and for a new point of view. His analysis of the causes of the decline and fall of the Roman Empire is drawn of course from Gibbon, but I have met those who prefer the interesting story of Lecky to the majestic sweep of the great master. Much less brilliant than Buckle's "History of Civilization," the first volume of which appeared twelve years earlier, the "Morals" has stood better the test of time.

The intellectual history of so precocious a writer is interesting, and fortunately it has been related by Lecky himself. When he entered Trinity College, Dublin, in 1856, "Mill was in the zenith of his fame and influence"; Hugh Miller was attempting to reconcile the recent discoveries of geology with the Mosaic cosmogony. "In poetry," he wrote, "Tennyson and Longfellow reigned, I think with an approach to equality which has not continued." In government the orthodox political economists furnished the theory and the Manchester school the practice. All this intellectual fermentation affected this inquiring young student; but at first Bishop Butler's "Analogy" and Sermons, which were then much studied at Dublin, had the paramount influence. Of the living men, Archbishop Whately, then at Dublin, held sway. Other writers whom he mastered were Coleridge, Newman, and Emerson, Pascal, Bossuet, Rousseau, and Voltaire, Dugald Stewart, and Mill. In 1857 Buckle burst upon the world, and proved a stimulus to Lecky as well as to most serious historical students. The result of these studies, Lecky relates, was his "History of Rationalism," published in the early part of 1865.

The claim made by many of Lecky's admirers, that he was a philosophic historian, as distinct from literary historians like Carlyle and Macaulay, and scientific like Stubbs and Gardiner, has injured him in the eyes of many historical students who believe that if there be such a thing as the philosophy of history the narrative ought to carry it naturally. To stop the relation of events or the delineation of character by parading trite reflections or rashly broad generalizations is neither science nor art. Lecky has sometimes been condemned by stu-

dents who, revolting at the term "philosophy" in connection with history, have failed to read his greatest work, the "History of England in the Eighteenth Century." This is a decided advance on the "History of Morals," and shows honest investigation in original material, much of it manuscript, and an excellent power of generalization widely different from that which exhibits itself in a paltry philosophy. These volumes are a real contribution to historical knowledge. Parts of them which I like often to recur to are the account of the ministry of Walpole, the treatment of "parliamentary corruption," of the condition of London, and of "national tastes and manners." His Chapter IX., which relates the rise of Methodism, has a peculiarly attractive swing and go, and his use of anecdote is effective.

Chapter XX., on the "Causes of the French Revolution," covering one hundred and forty-one pages, is an ambitious attempt, but it shows a thorough digestion of his material, profound reflection, and a lively presentation of his view. Mr. Morse Stephens believes that it is idle to attempt to inquire into the causes of this political and social overturn. If an historian tells the *how*, he asserts he should not be asked to tell the *why*. This is an epigrammatic statement of a tenet of the scientific historical school of Oxford, but men will always be interested in inquiring why the French Revolution happened, and such chapters as this of Lecky, a blending of speculation and narrative, will hold their place. These volumes have much well and impartially written Irish history, and being published between 1878 and 1890, at the time that the Irish question in its various forms became acute, they attracted considerable attention from the political world. Gladstone was an admirer of Lecky, and said in a chat with John Morley, "Lecky has real insight into the motives of statesmen. Now Carlyle, so mighty as he is in flash and penetration, has no eye for motives. Macaulay, too, is so caught by a picture, by color, by surface, that he is seldom to be counted on for just account of motive." The Irish chapters furnished arguments for the Liberals, but did not convert Lecky himself to the policy of home rule. When Gladstone and his party adopted it, he became a Liberal Unionist, and as such was elected in 1895 a member of the House of Commons by Dublin University. In view of the many comments that he was not a success in par-

liamentary life, I may say that the election not only came to him unsought, but that he recognized that he was too old to adapt himself to the atmosphere of the House of Commons; he accepted the position in the belief which was pressed upon him by many friends that he could in Parliament be useful to the University.

Within less than three years have we commemorated in this hall three great English historians, Stubbs, Gardiner, and Lecky. The one we honor to-day was the most popular of the three. Not studied so much at the seats of learning, he is better known to journalists, to statesmen, to men of affairs, in short, to general readers. Even our Society made him an Honorary Member fourteen years before it did Gardiner, although Gardiner was the older man and two volumes of his history had been published before Lecky's "Rationalism," and two volumes more in the same year as the "Morals." One year after it was published "Rationalism" went into a third edition. Gardiner's first volumes sold one hundred and forty copies. It must, however, be stated that the Society recognized Gardiner's work as early as 1874 by electing him a Corresponding Member.

It is difficult to guess how long Lecky will be read. His popularity is distinct. He was the rare combination of a scholar and a man of the world, made so by his own peculiar talent and by lucky opportunities. He was not obliged to earn his living. In early life by intimate personal intercourse he drew intellectual inspiration from Dean Milman, and later he learned practical politics through his friendship with Lord Russell. He knew well Herbert Spencer, Huxley, and Tyndall. In private conversation he was a very interesting man. His discourse ran on books and on men; he turned from one to the other and mixed up the two with a ready familiarity. He went much into London society, and though entirely serious and without having, so far as I know, a gleam of humor, he was a fluent and entertaining talker.

Mr. Lecky was vitally interested in the affairs of this country, and sympathized with the North during our Civil War. He once wrote me: "I am old enough to remember vividly your great war, and was then much with an American friend — a very clever lawyer named George Bemis — whom I came to know very well at Rome. . . . I was myself a decided

Northerner, but the 'right of revolution' was always rather a stumbling block." Talking with Mr. Lecky in 1895, not long after the judgment of the United States Supreme Court that the income tax was unconstitutional, he expressed the opinion that it was a grand decision, evidencing a high respect for private property, but in the next breath came the question, "How are you ever to manage continuing the payment of those enormous pensions of yours?"

It is not, I think, difficult to explain why Stubbs and Gardiner are more precious possessions for students than Lecky. Gardiner devoted his life to the seventeenth century. If we may reckon the previous preparation and the ceaseless revision, Stubbs devoted a good part of his life to the constitutional history from the beginnings of it to Henry VII. Lecky's eight volumes on the Eighteenth Century were published in thirteen years. A mastery of a mass of original material such as Stubbs and Gardiner mastered was impossible within that time. Lecky had the faculty of historic divination which compensated to some extent for the lack of a more thorough study of the sources. Genius stood in the place of painstaking engrossment in a single task.

The last most important work of Lecky, "Democracy and Liberty," was a brave undertaking. Many years ago he wrote: "When I was deeply immersed in the 'History of England in the Eighteenth Century,' I remember being struck by the saying of an old and illustrious friend that he could not understand the state of mind of a man who, when so many questions of burning and absorbing interest were rising around him, could devote the best years of his life to the study of a vanished past." Hence the book which considered present issues of practical politics and party controversies, and a result that satisfied no party and hardly any faction. It is an interesting inquiry who chose the better part, — he or Stubbs and Gardiner. They emulated the philosopher of whom Plato wrote: "He is like one who retires under the shelter of a wall in the storm of dust and sleet which the driving wind hurries along."

The PRESIDENT directed attention to a fine photographic reproduction of Lenbach's painting of Theodor Mommsen, which had been given to the Society by Rev. Edward J. Young, D.D., and called on Hon. CARL SCHURZ, an Hon-

orary Member, who read the following characterization of the historian : —

When our worthy President, Mr. Adams, did me the honor of asking me to address this distinguished company on the works and career of our departed Honorary Member, Theodor Mommsen, I first recoiled with terror from a task which, as I thought, to be worthily performed, required an intimate and fresh knowledge and critical survey of the great man's writings and doings by a man far more competent than myself. But Mr. Adams persuaded me that nothing of the kind was expected on an occasion like this, and that a few words of appreciation of the merits of the departed member would be sufficient. This assurance took off the edge of my fright.

I had the good fortune many years ago, in 1868, of coming into personal contact with Professor Mommsen, not, indeed, enough to establish any sort of intimate relations between us, but enough to give me a distinct impression of his personality. He was born in that part of Germany from which Hengist and Horsa issued to invade Britain, and he seemed to me to have himself something of the Viking in his nature. There was a merciless thoroughness of purpose and method in his historical truth-seeking, a sort of ferocious glee in the manner in which he played havoc with so many legendary romances which had become familiar and dear to the popular mind, that the reader of his history of Rome and of some of his short monographs would be inclined angrily to resent the forceful superiority of knowledge which was blazing upon him, and to yield finally with a sort of sullen submissiveness to the almost brutal but fascinating power of it. And when I speak of the reader, I speak of myself, remembering as I do my first reading of Mommsen's Roman history. That was many years ago, — so many years, indeed, that not a clear memory in detail of what I did read is before my mind, but rather the peculiar impression it made upon me, and of the clearness of the light in which suddenly Rome appeared to me, — the character of her people, her customs and institutions and policies, and the source and development of her mastership.

Mommsen's literary style was indeed superior in quality to that of most of the German historians, being strong and definite and direct, and clear in statement and narration. But

there was something rugged in it, as there was in the man, something sturdily veracious for the truth's sake, something disdainful of the pursuit of elegant and artistically graceful and picturesque diction. I may remark here by the way that Mommsen in this respect may claim the benefit of being judged according to the conditions surrounding him. If German prose, especially historical, or, more generally, scientific prose, is in point of elegance not so highly developed as the prose of French and of English literature, this is in my opinion largely owing to the German Universities. A German scholar who cultivates gracefulness of expression is in danger of being counted among the superficial who hide a lack of thoroughness in research, or a lack of profoundness in ideas, under ornamental heaps of fine-sounding language. This is a tender point with the German scholar, and to escape the suspicion of superficiality, he is tempted rather to avoid than to cultivate elegance of style. This tendency has had a decidedly unfavorable effect upon the development of German prose. Things are in this respect perceptibly improving of late, and there are some German prose writers now of graceful and lucid fluency; but at the time when Mommsen wrote his Roman history the tendency I mentioned still had strong sway. I will not say that he avoided elegant writing for fear of compromising his character as a scholar — for he did not fear anything — but while he was superior in style to most of his colleagues, his surroundings did not furnish any incitement to the special cultivation of it, and he wrote according to his impulsive and energetic nature.

His historical studies did not serve to withdraw Mommsen from an attentive interest in the public affairs of his time, but rather inspired him to take an active part in them. He plunged resolutely into the revolutionary stream of 1848, and soon lost his professorship at the University of Leipzig in consequence of his participation in the popular uprising in behalf of the national constitution framed by the German Parliament at Frankfort. A professorship was offered to him in 1852 at Zurich in the Swiss Republic, but the Prussian Government soon felt that it could ill-spare a scholar like Mommsen, and called him in 1854 to a chair in the Breslau University. Four years later he was offered a professorship in the University of Berlin, — a mark of high distinction. But his official posi-

tion did not restrain him from proclaiming his political principles and from criticising the course of the government, which he did in his pugnacious way whenever provoked by occasion. In fact, his unsparing criticisms brought him now and then into direct conflict with the authorities, among others with that most uncomfortable of antagonists, Prince Bismarck. But he always bravely held his own, and not seldom made those who had attacked him or responded to his attack sorry for having done so.

He denounced with characteristic vigor the conduct of the United States in making war upon Spain and following it up with an imperialistic policy of conquest, but, at the instance of his friend the American ambassador, Andrew D. White, he withdrew the magazine article in which his indignation had found expression. Likewise he condemned with extreme warmth the subjugation of the Boers by Great Britain, and in this case the explosive utterance of his sentiments was not withheld from the public. But it was by no means a feeling of hostility to the two countries concerned which inspired these bursts of resentment; on the contrary, it was rather the bitterness of disappointed love; for upon the free principles of the English and the American governments his hopes for the future progress of mankind were founded, and it was a terrible shock to him to see occasion for thinking those principles violated by the very nations whom he had believed to be not only their most powerful but also their most faithful exponents.

The keen watchfulness with which he observed the political developments of his time, and the zest with which he took an active part in them, gave a peculiar interest to his historical writings; for keeping in mind that human nature is always the same and that like causes are always apt to produce like effects, his understanding of the past was illumined to him, and through him to his readers, by the light thrown upon it by the present, and imparted to his presentation of men and events and conditions the vivacity of personal acquaintance. I think it is not too much to say that, having read the so-called standard histories of Rome, and then reading Mommsen, you would feel as if you had received an entirely new revelation, making antiquity live in our day.

It is needless to speak of his almost boundless working capacity, his indefatigable industry, and his rare mastery of

detail which enabled him to produce such works as the "Corpus Inscriptionum Latinarum" and various other works of the highest value as treasure-stores of carefully collected and critically sifted information. Nor need I describe how popular a figure he was in the great German capital, how his caustic sayings passed from mouth to mouth, and how the burning of his white hair, the "destruction of his beauty," as he called it, caused a sensation in Berlin like an event of importance. It certainly is a matter of great satisfaction to the whole world of science and letters that when he passed away from among the living, all ranks of society, from the proudest monarch to the most modest citizen, put their wreaths upon the bier of a man whose claim to such honor consisted simply in his being one of the greatest scholars and historians of his age.

Mr. JAMES SCHOULER, from the section for the day, read the following paper which had been postponed from the last meeting: —

The Massachusetts Convention of 1853.

Massachusetts, as you are aware, is the only State in the Union whose people live under a constitution framed in the eighteenth century and modified to the present date by amendment only. Our instrument of Federal Union dates back to 1787; but that of Massachusetts was framed seven years earlier, serving in some respects as a model; and ancient expressions may still be read therein, never formally repealed, which assert a State sovereignty long since annulled in effect by virtue of the supremacy gained by the government of the United States.

Massachusetts has always stood upon her own ways and methods, little influenced by the precedents of sister States, but insistent upon setting her own historical example while tenacious of her ancient customs. Never but twice since that well-matured instrument of 1780 was accepted at the polls as the flower and full consummation of all Revolutionary plans for State government, has a convention been called on our soil to consider even the project of a substitute. The first of those conventions, which met at the State House on Beacon Hill in 1820, resulted simply in proposing to our people fourteen articles of amendment, nine of which were adopted by the

voters, including a definite scheme for incorporating specific amendments thenceforward without resort to a convention at all. Our second constitutional convention was that of 1853, which, likewise held at the Boston State House, submitted its results more ambitiously in the shape of a new and modernized constitution; but this failed wholly at the polls, though influencing, as we shall see, some important changes which came, a few years later, through the simpler process of amendment. Other modifications of our basic law have been made from time to time, mostly of the minor sort. But the briefest comparison of our present constitution as a whole with those at this day of sister States reveals great differences. Massachusetts still holds to annual elections, once but no longer regarded throughout New England as an essential safeguard against tyranny. The Governor shares his executive functions, as in no other State, with a secret Council, once deputed from the Senate or upper house, but now quite distinct from the Legislature in its mode of selection, and devoid of the positive character it bore in colonial times, when serving as a sort of popular check upon the King's vicegerent. Our Legislature of two houses holds annual sessions, with all its members annually chosen; and the costly fermentation of resolves, public hearings, and the making and unmaking of the laws occupies about six months of each calendar year. Such organic restraints upon legislative authority as are now found in most other States imposed by the people, are here almost wholly wanting; and the length of sessions, the recompense of members, discretion between special and general legislation as to the borrowing or appropriation of money, the creation of public debt, or the chartering of corporations, — all such matters are for the most part regulated and defined in Massachusetts, not by fundamental and permanent provisions, but simply by the laws of one annual legislature which the next is wholly competent to modify or repeal. Public agitation procured here, not many years ago, the formal proposal of a single constitutional amendment for biennial sessions of the legislature, but that proposed amendment failed of adoption at the polls.

My object, in the present paper, is to set forth concisely the doings of our second Massachusetts convention, — that of 1853, — which submitted results to the people just about half a

century ago. The agitation for that convention came from the so-called coalitionists, — Free-Soilers and Democrats, — who had wrested the control of our Commonwealth from the Whigs in 1850, following the ill-starred compromise measures of that year in Congress. After repeated proposals from the Legislature under their party guidance, our people voted in favor of holding such a convention, and delegates were chosen thereto from all the towns and cities in March, 1853. The convention met on the 4th of May, that same year, and after a session of seventy-two days dissolved on the 1st of August, with due provision for submitting its work to the people in the following November. Three portly volumes, edited and published by authority, contain the whole proceedings of this deliberative body, set forth word for word and vote for vote, just as contemporaneously reported by the stenographers; and with an appendix, moreover, showing officially the tabulated results at the polls, and other essential documents, we have for historical study a record almost unprecedented in fulness and substance for a popular assembly of the kind, and materially complete and trustworthy. They who convoked and constituted this convention must have looked for fame, like Cæsar, when he "bade the Romans mark him and write his speeches in their books."

This assemblage, as chosen, numbered somewhere about four hundred and twenty members; a few, however, who had been elected, resigning at once their seats by way of signifying non-acceptance, so as to leave the vacancies unfilled. So crowded, indeed, were the delegates in the Representatives' Hall at the State House, — many of them being seated in the gallery, while few who debated could be heard in every part of the chamber, — that members were disposed to transfer the sessions altogether to some other hall in the city, such as the Lowell Institute. This the coalitionists were disposed to favor inasmuch as the Legislature of the year, which had not yet adjourned, was somewhat reactionary and of a Whig complexion. But respect for precedent prevailed, and by the time the convention got fairly to work it had the State House to itself, except for the quiet executive offices, where Whigs once more ruled as in years more remote. The convention of 1820 which had sat in this hall appears to have been almost as numerous; and probably there was never

a session of this later body when all the members were present.

George S. Boutwell, the most illustrious and almost the only survivor of this convention of 1853, has expressed the opinion that it was "the ablest body of men that ever met in Massachusetts";[1] meaning by this, no doubt, to compliment both majority and minority elements. For while, of that former convention of 1820, Daniel Webster and Joseph Story were distinguished members, as also the venerable John Adams, who declined because of infirm age the honor of presiding officer, its average ability as a whole was much inferior. The year 1853 was in fact exceptionally favorable for calling out the best character and ability of the two opposing parties in the State. That temporary coalition of Free-Soilers and Democrats was already losing its brief hold upon the people, though strong enough still to carry its choice leaders into this convention and to constitute a decided majority. For in the November elections of 1852 the Whigs had, by a strong rally, gained control of the Legislature for 1853 and elected John H. Clifford governor; and, notwithstanding the overwhelming national defeat that year of the presidential ticket headed by Winfield Scott, Massachusetts stood true and loyal to the Whig national candidates and Whig principles. In the approaching yearly election of 1853 they were destined to win one more State victory and the last. Hence the Whig delegates chosen this spring to the present convention made up a remarkably strong minority, with able representative men from every county in the State, and local leaders many of whom had done good service in the past and won prestige. Edward Everett was not a member of this convention, nor was Robert C. Winthrop, but both received still higher honors from their party. Daniel Webster had passed away the year before. None of the Amorys, the Hoars, the Higginsons, the Eliots,[2] the Lawrences, the Otises were here; scions of the great Adams, Phillips, and Quincy families were wanting.

[1] Boutwell's Reminiscences, vol. i. p. 225. On the 7th of July, 1903, ex-Governor Boutwell, ex-Congressman Robert T. Davis of Fall River, and Silas Dean of Stoneham met in Boston for dinner, as the last known survivors of this convention at that late date. But it later appeared that a few other members were still living.

[2] Samuel A. Eliot, who was chosen on the Boston list, sent in promptly his resignation, thus virtually declining an election.

Abolitionists of the Garrison school never figured in practical politics, nor were literary writers or special educators to be seen here. But among prominent men of affairs in the State, of differing political antecedents, both the past and the future in eminence contributed its quota. Boston returned a solid Whig delegation, chosen, as was then customary, upon a general ticket; Sidney Bartlett, Francis B. Crowninshield, Rufus Choate, John C. Gray, Henry J. Gardner, George S. Hillard, Samuel K. Lothrop, Nathan Hale, William Schouler, J. Thomas Stevenson, and George B. Upton being of the number. Cambridge sent strong Whigs in Isaac Livermore and John Sargent, with two famous professors in Harvard's Law School, Simon Greenleaf and Joel Parker. Otis P. Lord of the same party was a Salem delegate; and from Essex County came also, among coalitionists, Henry K. Oliver and the aged Robert Rantoul, whose promising son had died soon after his election with Charles Sumner to the United States Senate. Middlesex County supplied some of the most distinguished members of the majority: Nathaniel P. Banks, Jr., of Waltham, Henry Wilson of Natick, Josiah G. Abbott and Benjamin F. Butler of Lowell, and Richard Frothingham, Jr., of Charlestown; while Charles R. Train, an able Whig, represented Framingham. From Norfolk County came Francis W. Bird of Walpole; from Plymouth County Moses Bates, Jr., of Plymouth; from Bristol County, ex-Governor Marcus Morton of Taunton; all these were reckoned among the majority. Worcester County sent as coalitionists Charles Allen, Isaac Davis, and John M. Earle of Worcester, besides Amasa Walker of North Brookfield. On the Whig side from the western part of the State came George N. Briggs of Pittsfield, Whig governor of the State for many years and a plebeian beloved of the patricians; Julius Rockwell, a Whig, from the same town, and Henry L. Dawes from Adams; while Henry W. Bishop of Lenox and Chester W. Chapin of Springfield sat as Democrats. Others on the roll of this convention were worth mentioning, all able and honorable men.

Under the act which assembled this convention, a citizen of Massachusetts might be chosen delegate from any town or city where he was not resident; and to such a provision several of the most prominent men on the majority side owed their seats, whose local constituencies were against them. Charles

Sumner, of Boston, was thus chosen from Marshfield, his own city siding with the Whigs; Richard H. Dana, Jr., sat, not for Cambridge, but for his paternal town of Manchester; Benjamin F. Hallett, a strong Boston Democrat, was chosen for Wilbraham. Among others who sat for towns in which they did not reside were Whiting Griswold of Greenfield, Edward L. Keyes of Dedham, S. B. Phinney of Barnstable, and D. W. Alvord of Greenfield. Anson Burlingame, the fiery young Free-Soil orator of Cambridge, was chosen by Northborough, a town he had never seen; and the method by which George S. Boutwell, the ex-Governor, was made a delegate, was still more remarkable, Groton and his fellow-townsmen having failed him at the polls. It happened that Henry Wilson, to make sure of his own election, had stood as a candidate for two places, Natick and Berlin; both of which towns chose him to the convention. Thereupon he accepted the one election and declined the other, urging the convention at his earliest opportunity to order a new election for Berlin. The vacancy he meant for his friend and party associate Mr. Boutwell. An eager debate sprang up at once in the convention over this anomalous situation, — for other vacancies were left unfilled, — and the manner in which the new election should be ordered was warmly discussed. The majority view prevailed; and, chosen presently to the vacancy, under a secret ballot rule, Mr. Boutwell took his seat before the close of May in this convention, — the delegate, like Burlingame, as he tells us, of a town he had never seen.

Boutwell's Reminiscences make note of the fact that in several instances both father and son served together in this body. His own father sat as a delegate from Lunenburg. Besides Marcus Morton, Sr., from Taunton, twice governor of Massachusetts by a meagre vote, came Marcus Morton, Jr., from Andover, who rose later to be chief justice. Samuel French and Rodney French sat likewise as father and son. Several eminent members of the convention added at this time the "Jr." to their own surnames, — Banks, Dana, Bates, and Frothingham being thus denoted.

The convention was called to order by the venerable Robert Rantoul, as senior delegate and survivor from the former convention of 1820. The test of opposing party strength followed in the election of presiding officer; and Mr. Banks of Wal-

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tham, who had for two years served with acceptance as speaker of the coalition House, was chosen president of this convention on the first ballot by a vote of 250 to 137, over ex-Governor Briggs, upon whom the opposition had united. There were two secretaries, William S. Robinson, clerk of the House in a later era, and James T. Robinson, afterwards a judge of probate. Rev. Dr. Samuel K. Lothrop, of the Boston delegation, made both the opening and closing prayer of this convention, at the request of his fellow-members. On the sixth day's session President Banks appointed committees to consider the various details of the existing constitution and report such changes as might seem desirable. Upon the various committee reports came the chief debates, as also the chief voting, first in committee of the whole and afterwards in convention. The principal chairmanships went to Messrs. Sumner, Wilson, Griswold, Davis of Worcester, and Morton of Taunton. Upon Mr. Boutwell devolved in due time the chairmanship of still another committee, appointed to prepare the draft of a new constitution.

The index to the three official volumes which I have mentioned confirms a careful study of their pages as to the men who actually led in this convention, and the chief topics which entered into discussion. Only 234 members — or little more than half the whole number chosen — took part in the proceedings at all, further than possibly to record their votes. And the voting tables show that, whenever an important proposal came to a positive test, very many of the members would absent themselves, or while in their seats refrain from voting. Ninety men all told, or rather more than one-fifth of the delegates, took a really active part, and to these should belong the chief honors, since they bore the chief burden. On the majority side led Henry Wilson, of later renown in the United States Senate, president of the Massachusetts upper house in recent years, and a coalitionist of Whig and Free-Soil antecedents. His capacity for discussion in a deliberative body never shone brighter than in the present one. Boutwell, when once an admitted member, was his strong coadjutor; a Free-Soil Democrat, and lately for two successive years the coalition Governor of the State. On occasion Griswold, Bird, and Keyes, all of whom were Free-Soilers, gave them good support. Of the coalition contingent which was more strictly

Democratic, Benjamin F. Butler was perhaps most frequently in evidence; a debater adroit and ready in such a gathering, pungent and pugnacious in his remarks, so as sometimes to hurt rather than help the cause he chose to espouse, but always entertaining the many present by his ready wit, sarcasm, and spicy personalities. With more dignity and decorum Benjamin F. Hallett, an old-fashioned Democrat, was a pronounced advocate on the same side; and also Josiah G. Abbott, a lawyer of growing reputation.

Against such opponents the Whigs had chiefly to assert strongly their own views and then be voted down; but the ability and good humor with which they met the adversary and exposed his fallacies while pressing proposals of their own, won them afterwards at the polls a substantial triumph. Such leaders used diversely their diverse gifts of political experience. Among progressive Whigs who came to this convention, not simply to obstruct, but as really desiring to amend the constitution in some respects, William Schouler, an experienced journalist and legislator, was the most constant and conspicuous champion on the floor; he was about to remove this year to Ohio to take up there a new career in journalism, never expecting to live in Massachusetts again. On effective opportunity ex-Governor Briggs gave him a hearty and sympathetic support, and so at a particular crisis did Charles R. Train. Richard H. Dana, Jr., was an impressive man in this convention, and made several excellent speeches; but his course was too independent to secure him a strong following, and his vote and influence went rather against his former Whig associates, at the same time that he did not wholly identify himself with the coalition. Of Whig conservatives who fought chiefly by obstruction, Otis P. Lord and George S. Hillard, strong and forcible debaters, were prominent, making many a sharp thrust at the majority. The former, soon to be chosen speaker of the last Whig House of Representatives that ever sat in Massachusetts, freely ridiculed the solicitude of his present adversaries on behalf of "the people," "the dear people," and declared that he himself went much beyond any of them by liberally including under such a designation "all the nursing babies and their mothers."

Other men eminent and conspicuous in this convention — and those especially who had been chosen on the Whig and

minority side — gave less constant attendance from day to day than those I have mentioned, but on occasion would deliver after due preparation effective speeches. Able and distinguished lawyers, who otherwise were seldom heard, hastened to take part when some abstruse professional point was raised or the judiciary establishment came under discussion. Pre-eminent among such speakers was Rufus Choate, the most brilliant and remarkable man in this whole body, as party friends and foes have equally conceded.[1] It was his great speech of July, against changing the judicial tenure for life or good behavior, which more than any other utterance in the whole convention carried eventually the people against the submitted changes; and one eloquent passage of that speech long lingered in men's memories, in which he described the character of the upright judge in verses solemnly recited from the Book of Job. In an earlier speech here and on an earlier occasion he adjured his fellow-members to "spare the rust of the constitution"; but that expression led some of his fellow-Whigs to declare that they for their part wished a constitution without rust of any kind, — bright and scoured, if need be, to suit the needs of the living age. Choate in these weeks stood up manfully for Massachusetts institutions as they were; defining his native Commonwealth as "an aggregate of social and political perfection; absolute security, combined with as much liberty as you can live in."

Some among the delegates won less praise by their presence in this convention than posterity has inclined to award them presumptively, upon their permanent merits. On the Whig side, particularly, were many men of superior cast who for one reason or another — and, likely enough, chiefly because the convention was so completely out of their own control — took little pains to influence its deliberations. Among these were some of the Boston delegates, prominent in other pursuits of life. Julius Rockwell, who soon won the best of fleeting public honors such as Massachusetts Whigs had still to bestow, was to all intents among the silent members here. Henry L. Dawes, also from thrice-renowned Berkshire County, whose long and illustrious career was soon to

[1] Mr. Choate during this year (1853) served as Attorney-General of the Commonwealth, appointed under the older method, and John H. Clifford himself succeeded to that post, after serving the present year as Governor.

commence in Congress on a broadening sphere as Representative, confined his present remarks mostly to the dry topic of loaning the State credit, being spokesman on behalf of his Hoosac Tunnel constituents. Charles Sumner himself, though prominently placed in this convention as chairman of a responsible committee, was far from giving such practical direction as his talents and high character, or his successorship at Washington to the great Webster, might have led his party to expect. At this early date, indeed, he was much less qualified than many of his present associates for leading or impressing a large deliberative body; and the few speeches which he made here were too polished and oracular, too erudite, not to add too lengthy, to suit so critical an audience. On the well-discussed question of a district system for the Massachusetts House of Representatives, he took the floor, July 7, and occupied nearly the whole forenoon with a learned speech full of historical citations, ancient and modern, not many of them pertinent, to enforce the illogical stand of the majority; and its chief effect was to induce the convention to make presently a new rule which limited all future speeches to an hour. Later in the session, when the still shorter limit was fixed of fifteen minutes, he brought forward his report as chairman of a committee while the convention sat in committee of the whole; and the hammer fell before he had finished his exordium. The courteous occupant of the chair was disposed to rule that by a simple vote then and there the restriction of time might be suspended in his favor; but some members contending, on the contrary, that no suspension of such a rule was proper without reporting back from committee of the whole to the convention itself, Mr. Sumner, somewhat in chagrin, cut discussion short by peremptorily refusing to extend his remarks.

The dignity and decorum of this great assemblage was in general well maintained through many long weeks of midsummer heat. Sallies interchanged in debate were given and received good-naturedly, and if ill-feeling was ever engendered some judicious delegate stood ready to allay its exhibition by his timely and tactful diversion. To this arose a single exception, which I may here recall, since it remains in print and of permanent record. Mr. Dana's espousal of the majority plan of House representation, which Bostonians deemed unfair

because so partial to the small towns and so oblivious to the test of numbers, led his personal friend, Mr. Hillard, to remonstrate with him on the floor. The latter, a man fastidious and scholarly in speech, inclining to Shakespearian quotations and figurative expression, recalled that both he and Mr. Dana, as fellow-practitioners at the Boston bar, owed much to influential clients who resided in that city; and it did not become them, he added, to strike at the hand that fed them. Mr. Dana's quick response was that of lofty indignation: "The hand that feeds us! the hand that feeds us! No hand feeds me that has any right to control my opinions!" So far as these two gentlemen were concerned nothing more was heard in discussion; rejoinder must have been impossible, for the righteous reproof given by Mr. Dana was complete. But unfortunately the news of this little encounter upon the floor spread in and out of the convention, and Mr. Hillard, who was sensitive in spirit, suffered keenly from the misconception or hyper-construction given far and wide to his remarks. Opponents in the convention soon made pointed allusion to this episode, as though to emphasize the subservience of Whig professional men to the rich and powerful of the community. Mr. Butler of Lowell, one of these opponents, employed the taunt repeatedly in open and offensive derision; the second occasion being in the course of a debate upon probate judges, wherein he contended that if judges could only be made elective by the people their manners on the bench would become less overbearing. Mr. Hillard bided his time, and then arose to make some further remarks which he had carefully premeditated. Paying his personal respects to tormentors in the convention who had so perverted from its intended meaning his unfortunate phrase concerning "the hand that fed him," and explaining what he really meant by it, he entered the discussion as though to justify the present manners of the bench. There were members of the bar, he contended, who themselves gave offence; "swaggering about the court-house with the port and bearing of a bar-room bully, insulting witnesses and treating opposing counsel with indignities studied and unstudied." "So long as we have jackals and hyenas at the bar," he concluded, "I hope we shall have a lion on the bench, who with one stroke of his vigorous paw can, if need be, bring their scalps right down over their eyes." No name was men-

tioned by him, but the force of the intended application was perceived at once; and Mr. Wilson was quickly on his feet, calling the gentleman to order for applying such harsh and bitter language to any fellow-member of the present convention. But the sense of this body was evidently to leave the blow where it had fallen, and the debate upon probate judges soon resumed its usual channel. Both antagonists were in a few days taking each his regular part in debating, with their customary composure, though with an evident wish to avoid personalities for the rest of the session; Mr. Butler merely remarking, in a jocose way, when he next arose to speak, that some of his fellow-members seemed to regard him as a hyena.[1]

The sudden death of one respected member, Francis R. Gourgas, of Concord, who had taken a somewhat prominent part in the earlier debates, left its chastening effect upon this convention, whose closing weeks happily were characterized by reciprocal good-will and forbearance. No speeches could have been more admirable or appropriate for warmth of feeling, united with simple dignity of utterance, than that of ex-Governor Briggs, which voiced the thanks of the convention to their able and impartial presiding officer; and Mr. Banks's own generous response when he declared the convention finally adjourned. I may here remark that the President had seldom spoken or voted in the convention, but confined himself closely to his official functions.

It has generally been conceded, by the friends and foes alike of this distinguished body, that the total failure of its work at the elections which followed in November was due, most of all, to the unwise and unexpected attempt made to change the judicial tenure; and some of the disappointed leaders of the majority have inclined to attribute their abor-

[1] It should be mentioned that another of those to whom Mr. Hillard had bitterly alluded in the speech above quoted, as taunting him over "the hand that fed him," made his own personal rejoinder at a later day; whereupon the gentleman from Boston, after assurances that he cherished no unkind feeling towards this latter speaker (Mr. John B. Alley, of Lynn), expressed his final regret to the convention for the tone of personal justification into which he had recently fallen, and desired that the whole episode be forgotten. But the phrase was long remembered by Mr. Hillard's contemporaries. In Boutwell's Reminiscences will be found a passing allusion to it, while the Dana-Hillard controversy is described, with some other interesting details of the convention, by our President, Charles Francis Adams, in his Life of Richard H. Dana, the data being largely derived from Mr. Dana's own diary. Adams's Dana, vol. i. pp. 233-250.

tive efforts to that cause alone. A careful analysis of the popular vote, as tabulated, seems hardly to justify the latter inference. The coalitionists here displeased the people in other respects, and the evident intent of our voters was to shame them utterly. For we must not picture this incohesive coalition majority as a zealous band of blind but consistent reformers. On the contrary, they felt already that their popular influence was lapsing, and their leaders stood for various plausible changes, which were lamentably deficient, in the hope of maintaining their aggregate strength in the State. But the Whig minority outgeneralled them in the convention, and stood in the main for changes which rested upon sound and consistent principle. They better interpreted what at this time the people of Massachusetts really wanted by way of reform. The majority, on the other hand, did not fairly trust the people whose rights they championed, nor even attempt to do as they had promised; so, as one of their own number expressed it in debate, the conservatives had got upon the engine while the radicals stood at the brake.

Two leading topics, the proper basis of representation for the House and the application of the plurality rule in elections, well illustrate this political contrast. To arrange for a Legislature smaller and more exact in total membership than hitherto, and of symmetrical composition, was a change felt highly desirable at that particular time. The majority framed well a new Senate upon such a plan, with the counties of the State cut up into contiguous districts of equal population; but when it came to the House, they chose, perhaps out of deference to their own rural supporters, to retain town representation largely, as before, to the detriment of cities. In short, the precise basis of numbers and population, though good for the Senate, was not equally good for the House; and the Whigs — those of Boston in particular — took immediate ground that Senate and House ought both to be based upon equal representation under a district scheme, that the equal rights of mankind should in each case be respected. Driven by pressure of argument and the force of outside sentiment, the coalition majority, while still insisting upon their incongruous plan, consented that, after a census taken in 1855, the Legislature in 1856 might at discretion take the sense of the voters once more; changing, should the referendum so re-

sult, to a House arranged by districts upon a popular basis of numbers similar to the Senate. On the plurality question the majority brought forth a like crude result, and then yielded a still weaker concession. Insistence upon a majority vote for elections, with re-trial or a legislative selection in case of failure, fostered great practical evils, which other States of the Union had already corrected in their constitutions, and there were Whigs in this convention who desired quite as heartily to see the plurality rule adopted in Massachusetts as the coalitionists, whose appeal for a convention had in fact promised to the people such a change. But when it came to action the majority had not the courage of their conviction; and the proposal they decided to submit gave only half the loaf of reform. In county elections for Senators and Councillors the plurality rule was to apply; but a majority vote should still be required to elect as before, where other candidates for office were concerned. Hence, if the Governor or other high officials of the executive branch should fail of a majority at the polls, the election would be thrown into the Legislature — the older plan prevalent in these American States, and a standing menace still in our Federal constitution; while if Representatives or municipal officers failed of a majority, re-trials must follow until some one was thus chosen. This shilly-shallying with a principle the Whigs derided, and they pressed so strongly for a full and comprehensive plurality rule in all elections that at one stage of the convention, sustained by public opinion outside, they brought the vote to a tie, — the closest approach to victory in any measure they here proposed. The casting vote of the presiding officer baffled them at that point; and presently the convention majority produced a sop of compromise still less acceptable to the people than that on the Representative issue. While limiting the application of a plurality rule as before, they granted the right to any Legislature hereafter, allowing a year's interval, to substitute a full plurality rule for elections; or, once again, with a similar interval, to go back to the present partial plurality plan as here adopted.[1]

Even on the fatal issue of changing our judicial establishment the coalition majority dealt crudely with the subject; once more irritating the people without satisfying themselves.

[1] As to this "plurality patch-up," Josiah G. Abbott observed that the lion's skin was not one-quarter big enough to hide what was beneath it.

When considering county and municipal officers, they placed judges of probate among the other county officers, to take their chances henceforth in a triennial election; they applied a like local test of the elective suffrage to judges of police courts and to trial justices. But when it came to the high courts of justice in this Commonwealth, where the double dignity of life tenure, and of executive appointment or promotion had long protected the incumbent in the safe seclusion of honest independence, the convention majority laid ruthless hands on the one safeguard, while leaving the other untouched. In other words, they proposed for the people no share in the choice of such incumbents, but the incumbency itself was to be reduced from a tenure for life or good behavior to a brief and specific ten years, with only the doubtful chance for a reappointment. Any good and acceptable judge may be re-elected openly at the polls when his ten years' term runs out, if popular suffrage be relied upon; but what stability can he expect by doing well his work, if his continuance in office is to depend upon a chief executive, chosen for a single year, whose secret pledges or obligations to rivals for the vacancy are not for disclosure? And here it is worth observing that this constitutional invasion of the judicial sphere came unexpectedly to the people of Massachusetts, who had not been apprised of any cherished intention to propose changes in that respect; and that the shrewdest of the coalitionists were themselves reluctant to meddle with such matters. Marcus Morton, senior, of Taunton, who was chairman of the committee on amendments in this respect, reported in favor of vesting judicial power in the supreme judicial court and such other courts as the Legislature should from time to time establish; in favor, likewise, of abolishing the pronouncement of opinions by the supreme justices at the request of Governor or Legislature; but he reported unfavorably from his committee in respect of further changes. Mr. Wilson, however, led the more radical of the majority in overriding this committee and causing a final adoption of the changes I have mentioned. The Whigs, on the other hand, stood strongly for the existing judicial establishment unaltered, and, as the event proved, the voters of Massachusetts were with them.

By no means, therefore, did the convention of 1853 show in its responsible results the full courage of radical convictions

for reform, and to their own shortcomings its majority owed chiefly their disastrous failure at the polls in November. To sum up briefly the proposed changes, the text of the old instrument was well treated; "the rust of the constitution" disappeared, and the time-honored tablets of our fundamental law remained substantially as before, with the original language, structure, and phraseology well preserved. This work was quietly done in committee towards the close of the session and called out little or no adverse comment. Criticism and contention came rather upon the provisions, newly incorporated by the convention, after debate. These, in addition to the changes I have mentioned, — as to the judiciary, as to the representative basis for a legislature, and as to the plurality vote in elections, — embraced some minor ones of consequence. Sessions of the Legislature were by indirection limited to one hundred days, the recompense of members to be fixed and limited by standing laws. The property qualification of Governor and Lieutenant-Governor was abolished. The Council was made a self-sufficient body, chosen directly by the people in single districts, to mingle in the executive functions as before.[1] The Attorney-General, Secretary of State, Auditor and Treasurer, high officials hitherto appointed by the Governor or else chosen by the General Court, were hereafter to be elected by the people; thus bringing into the executive department each year a complete set of high functionaries, together with the Council, not one of whom would owe allegiance to either Chief Magistrate or the Legislature. County officers, who had hitherto been appointed by the executive or the courts, incumbents practically for a long period — namely, registers, sheriffs, clerks of courts, commissioners of insolvency, district attorneys, county commissioners, — all these, together with judges of probate, were henceforth to depend upon the local voters for a triennial election. All property qualifications, whether for voters or for public officers, were removed. Against Whig contention that a written constitution ought to prefer general to specific enumeration, the convention committed itself not simply to secret voting,

[1] Many of the coalition majority were for wiping out a council altogether, nor was it permitted to continue secret sessions without the condition that its records should hereafter be subject to public inspection at the demand of either branch of the Legislature.

but to secret ballot by the means of sealed envelopes furnished by the State — a method devised and sanctioned by the coalitionists in those years for the voters, but since superseded. Changes were proposed in respect of the militia; for asserting stronger State supervision of Harvard College; concerning the school fund; and for summoning constitutional conventions in the future once in twenty years, upon a popular referendum vote. The annual State elections were to be on the Tuesday following the first Monday in November, so as to conform to the rule of Congress for national elections.

Such were the main features of this new constitutional scheme which the convention of 1853 proposed at the polls for adoption; and it was decided to submit the draft of a new instrument containing all these changes together, with no chance for a vote upon any of the provisions separately. Proposition I. stood, therefore, for a direct vote of the people, yes or no: Shall this preamble, declaration of rights, and frame of government stand as the constitution of the Commonwealth of Massachusetts? Seven other propositions were separately submitted at the same time, embodying other changes which the convention favored, but left to stand each on its separate merits. II. Enlarging the present remedies by habeas corpus. III. Giving juries the right to determine the law and facts in criminal cases. IV. Favoring a judicial investigation of claims against the Commonwealth. V. Increasing the present restraints upon imprisonment for debt. VI. Against appropriating the school fund for the benefit of any religious sect. VII. To provide for business incorporation under general rather than special laws. VIII. For bank incorporation upon a like distinction, and so that bank notes should be redeemable in specie.

The vote of the people upon these eight propositions was taken throughout the State on the second Monday of the ensuing November; and the result showed that each and every proposition was rejected summarily at the polls. Proposition I., which embraced the new draft of a constitution incorporating the main schemes of the convention, was voted down by 63,222 yeas to 68,150 nays; and each of the other propositions, as submitted, failed by a vote more or less decisive, not one of them being carried at the polls. Proposition VI. (against using the school fund for sectarian purposes) nearly

prevailed; while III. (giving juries the right to determine both law and facts) received at the polls a condemnation even more hearty and emphatic than the new constitutional draft itself. Suffolk County cast an immense vote against each and every proposition submitted for adoption; Essex and Middlesex followed with an emphatic disapproval; Hampshire, Norfolk, Plymouth, and Barnstable gave an adverse preponderance. But Worcester, Hampden, Franklin, and Berkshire Counties, all to the westward of the State, gave affirmative majorities, and so by a close vote did Bristol.

The same November elections of 1853 continued the Whigs in power. Emory Washburn, of Worcester, was chosen Governor, and once again, and for the last time in history, the great national party founded by Clay and Webster controlled our State Legislature in both branches. In this Whig body six articles of amendment were at once initiated for adoption, which the succeeding Legislature accepted and submitted separately to the people after the mode prescribed by our State constitution. These, in May, 1855, were all approved and ratified at the polls and became henceforth part of our fundamental law: (1) The plurality principle was adopted in its integrity for all elections of civil officers by the people. (2) The Tuesday next after the first Monday in November was established as the State election day. (3) Councillors were to be chosen by the people, under a scheme which laid out equal and contiguous councillor districts based upon the number of inhabitants. (4) The Secretary, Treasurer, Auditor, and Attorney-General were henceforth to be chosen by the people. (5) Provision was made against appropriating school funds for any religious sect. (6) Sheriffs, registers of probate, clerks of courts, and district attorneys (but not judges of probate as proposed in 1853) were henceforward to be chosen by the people.[1] Whigs and coalitionists having by this time passed out of Massachusetts politics together, while their influence lingered, two more amendments, adopted for proposal by the Legislatures of 1856 and 1857, were approved and ratified by the people May 1, 1857. These established for the future a legislature whose basis in both Houses (and not in the Senate alone, as proposed in 1853) should be that of con-

[1] See present amendments to the State constitution numbered respectively XIV., XV., XVI., XVII., XVIII., and XIX.

tiguous districts arranged according to the relative number of legal voters as established from time to time by a decennial census, the House to consist of two hundred and forty members and the Senate of forty.[1]

All these eight amendments, which remain still embodied in the fundamental law of our State, were the direct and speedy result of the debates in the convention of 1853 and originated in proposals made on one side or the other; and whatever merit posterity may attach to those particular changes, and to the moulding of public opinion of Massachusetts in their favor, should be shared between Whigs and coalitionists, between the majority and minority leaders alike of that famous gathering.

NOTE. The following members of the Constitutional Convention were also chosen to our Massachusetts Historical Society, at an earlier or later date than 1853: —

Hon. Nathan Hale, LL.D., chosen 1820.

Hon. Charles W. Upham, LL.D., chosen 1832 and resigned 1852; not a member in 1853, but re-elected to the Society in 1867.

Hon. Rufus Choate, LL.D., chosen 1835.

Hon. Simon Greenleaf, LL.D., chosen 1837; died October 6, 1853, about a month before the proposed constitution was submitted to the vote of the people.

Hon. John C. Gray, LL.D., chosen 1841.

Hon. George S. Hillard, LL.D., chosen 1843.

Rev. George W. Blagden, D.D., chosen 1844.

Hon. Richard Frothingham, LL.D., chosen 1846.

Rev. Samuel K. Lothrop, D.D., chosen 1854.

Hon. Richard H. Dana, LL.D., chosen 1858.

Hon. William Appleton, chosen 1858.

Hon. Joel Parker, LL.D., chosen 1859.

Hon. Charles Sumner, LL.D., chosen 1873.

The hour being late, Mr. JOSIAH P. QUINCY, from the same section, presented the following paper by title: —

The Louisiana Purchase; and the Appeal to Posterity.

In an American city recently conspicuous before the world for what is corrupt and disheartening in democratic government at the present stage of its evolution, we are about to celebrate the purchase of the vast territory once known as Louisiana. The treaty with France by which this extensive domain was added to the confederated States which had chosen Thomas Jefferson as their chief magistrate, was

[1] See Amendments XXI. and XXII.

lauded — I may say officially lauded — in that city not many months ago. It is soon to be celebrated with yet more magnificence. The glory that has come to us from this extension of the Union will doubtless be contrasted — as it has already been contrasted — with the unpatriotic objections of certain "little Americans" (so an official personage recently called them) who asserted that the violation of the Federal Constitution embodied in the treaty with France was wrong in principle and likely to prove disastrous in outcome. That the Constitution, as it then stood, was violated has been admitted by men whose competency in judgment cannot be denied.

President Jefferson and his Secretary of State, James Madison, one of the framers of the great compact, head the list. Their names can easily be followed by those of eminent statesmen and publicists. One of Thomas Jefferson's biographers is constrained to admit that in this matter "the Executive authority had to be stretched until it cracked." And our associate Mr. Morse in his admirable life of the third President disposes of the subject after this fashion: "The Government was without Constitutional authority to make the purchase upon terms which substantially involved the speedy admission of the new territory in the shape of new States to the Union."

Somewhat conspicuous among other remonstrants was Josiah Quincy, a representative from this State to that Congress when it was decided to carry out the most objectionable provision of the treaty with France by admitting Louisiana as an equal with the States which had agreed to unite for certain purposes under a general government. Alluding to his protest against the violation of the contract which established the Union, Mr. Quincy said: "By this people and by the event if this bill passes, I am willing to be judged whether it be not a voice of wisdom."

A hundred years have passed since the Louisiana purchase, and by the voices most in evidence Mr. Quincy's remonstrance is judged and condemned. Condemned also is the approval of his friend John Lowell who assured the congressman that his warning of evil to come from the admission of States to the Union, otherwise than by the means prescribed by the Constitution, would do him "more credit with posterity" than anything he had ever done. Well, posterity has arrived — — that is, an infinitesimal portion of it — and with resonant

periods of rhetoric supported by din of drum and cannon, it is ready to dishonor the draft that Mr. Lowell drew upon it.

It is an acknowledged function of an historical society to sit as a court of appeal competent to reverse the hasty judgments passed by contemporaries upon some memorable event. Its jurisdiction may be stretched somewhat further. I think it may question the decisions of any of the ever-increasing sequence of posterities — even of that one among them which happens to be clamorous in its immediate environment.

There are two ways of regarding history. We are sometimes told — oftener to-day than ever before — that the turns and twists in its turbid stream simply register the results of cosmical and biological conditions, and that it is inconceivable that it should have run in other channels than those it actually filled. When told that we must so regard the rushing flood that has landed us upon this bank and shoal of time where for a moment we are permitted to stand, I can command no logic to show the determinist that he is wrong. On the contrary, he can annihilate me with legitimate deductions from the pronouncements of Science and Theology — not less from the teachings of Darwin and Haeckel, of Bain and Maudsley, than from those of the great theologians Augustine, Calvin, Edwards. He can leave me no resource but to change the "Credo quia impossibile est" of Tertullian into Credo *tanquam* impossibile est — and so make an end of it.

I shall assume that all here present agree with these words of the late Lord Acton quoted with approval by Mr. Bryce: "It is the office of historical science to maintain morality as the sole impartial criterion of men and things." Otherwise we might well follow the example of the ancients and erect altars to Fortune as the only discernible director of human affairs. An historical tribunal can by no means adopt the word "patriotism" as a summary of the whole duty of man. It should be free from the bias of nationality. To say that an act must meet its approval because it tended to the aggrandizement of a people occupying a given division of the earth's surface is quite beside the mark. The only question to be considered is whether a direction of history, initiated by this or that responsible human act, was clearly a beneficent factor in the evolution of our race towards those moral and social altitudes which it is pleasant to assume man is destined to attain. If it is

decided that this was the case, then those who opposed that act must be held up for censure as examples of short-sightedness, captiousness, and error.

I propose to say a few words in mitigation of the sentence hastily passed upon those Massachusetts men who were opposed to the provision of the treaty with France which resulted in the admission of the State of Louisiana — to its admission without the restriction prohibiting slavery which under the Ordinance of 1787 had been applied to the northwestern territory which Congress had been permitted to divide into States.

Of Thomas Jefferson, the most picturesque figure in our line of Presidents, — though some might except the present incumbent of that office, — I need say little. I have heard him presented from the sombre point of view of Federalists who were his contemporaries, and we all know the honeyed emulsions with which his biography has been administered to the readers of Parton and Watson. No one can doubt our indebtedness to him as a great phrase-maker. He has left us sentences which embody ideals fit to be held aloft for the contemplation of his countrymen, and which should spur them to an ever-increasing effort to embody them in conduct. I think it would be difficult to improve upon Hamilton's characterization of at least one side of this fascinating personality: "A man of sublimated and paradoxical imaginations." Sublimated, in its figurative sense of pure and refined, many of these imaginations certainly were; that some of them were paradoxical is evident from the most cursory examination of what he has left us. One of the most stimulating of Jefferson's sayings gave his views respecting the qualifications for office in this republic. The competency of the applicant was to be determined by the affirmative answer to three questions: "Is he honest, is he capable, is he faithful to the Constitution?" Upon assuming the duties of his great office the President makes oath that to the best of his ability he will "preserve, protect, and defend the Constitution of the United States." President Jefferson by his own confession was unfaithful to the Constitution. He admitted that he had "no right to double and more than double the area of the United States" under the conditions stated in the treaty with France. That act was condemned by the legislature of Massachusetts as well as by her promi-

nent citizens. It has been applauded by more numerous voices. Its admirers have likened it to the action of a trustee who exceeded the restrictions of the deed of trust in order to make an investment greatly to the advantage of its beneficiaries. I can neither admit that this comparison fits the case, nor that a trustee would be excusable who so disregarded his instructions. Yet I am not disposed to deny that occasions are conceivable when not only the law of the land but the most imperative of the Ten Commandments might be rightly put aside. Such a case was given in the newspapers some years ago. As the result of a railroad accident, a man was lying in agony — his legs crushed and held by the engine which had fallen upon him. Flames that could not be extinguished were rapidly approaching. The sufferer asked a by-stander to relieve him from prolonged and useless torture by a bullet from a pistol. I dare not say that some insignificant man in the street would have done wrong by complying with that pathetic petition. But how if the request had been to one of high and conspicuous position, — to the governor of the State or to the chief justice of its court? Then it should never have been granted. Why? We may read the answer, good for all time, in the Shakespearian drama. When it was urged that the officials of the Venetian court should wrench the law to their authority and so do a great right by doing a little wrong, the representative of the learned jurist of Padua gives no uncertain rebuke to the proposal. And the answer was not unworthy of the learned jurist of England who by some persons, not altogether demented, is believed at times to have uttered himself through the player at the Globe Theatre,

> "'T will be recorded for a precedent;
> And many an error, by the same example,
> Will rush into the State: it cannot be."

The admission of Louisiana, by means not sanctioned by the Constitution, was recorded for a precedent, and many an error by the same example has rushed into the State. Mr. Quincy did not live long enough to see his country expanding by aggressive war in Asiatic islands, but he did live long enough to be satisfied of the wisdom of his remonstrance. The deeds of one generation largely influence the ideas of the next: they control its thought. And "this humdrum politician" (so he

has recently been called) was confirmed in his belief that such specious and temporary gain as may be reached by disrespect to organic law must be paid for by a loss that will far exceed it. He lived to see this violation of the Constitution pass into a tradition; and the history of Church and State has been read to little purpose if we do not know that an accepted tradition sooner or later secures confirmation by authority. And so it has come to pass that the Supreme Court has decided that Jefferson and Madison and their eminent contemporaries were altogether wrong in supposing that the Louisiana purchase was without constitutional justification, for behold that elastic instrument can be stretched to sanction acquisition of territory by conquest as well as by purchase or treaty. Congress has been lifted above all courts and constitutions, and may deny to our dependencies even the right of trial by jury.

It goes without saying that the Supreme Court, being a human and fallible tribunal, is not uninfluenced by its congressional environment and by the returns of the elections. It was only the other day that Professor Nelson, the well-known publicist, made himself responsible for the following statement: "One of the justices of the United States Supreme Court has declared that he will determine questions of law with what he regards as the drift of public sentiment." And I think we may safely add that this accommodating magistrate would be likely to determine this compulsive "drift" according to the wishes of party leaders who happen to be in the ascendant. Let me not be misunderstood; constitutions develop themselves and ought to do so. The framers of our Constitution recognized this and devised a way in which they thought it could be prudently done. We have chosen to develop our organic law by the familiar process by which statute law has been developed. We know that the courts extend and modify what was clearly the intention of the legislator, and that statute law is constantly growing by these decisions. But is it well to develop a carefully written constitution, which provides a means for its amendment, in the same way? Evidently the answers to that question may show divergence of opinion.

To go back to 1811. Whitney's saw-gin was invented in 1793, and the slave States of America were recognized as the

cotton fields of the world. Political decisions result from a medley of mixed motives; and of some of the most active of these motives it is desirable that nothing be said. The art of the politician selects and proclaims that one among them which is most presentable. The concealed motive in the treaty with France was to forward the supremacy of the slave-holding power. The shrewd and capable leaders, whom the South has never lacked, saw that here was an opportunity to place their institution in an impregnable position. They realized that the indefinite continuance of slavery depended upon spreading their peculiar property, with its privilege of three-fifths representation, over as wide an area as possible. This they saw; and Josiah Quincy, and the good and true men who stood behind him, saw it as clearly as they did.

Whether the expansion of what we are proud to call American institutions is desirable was not then the question. The question was whether the expansion of slavery was a function that the States had delegated to a passing Congress and a passing Executive. I have talked with Mr. Quincy about his position at this time and feel sure that I give it correctly. Whether the purchase of territory that included the Mississippi River was constitutional or not, he never doubted that the States would ratify and confirm it. He was satisfied that, had the appeal been made to them, the States might have admitted Louisiana even without the provision looking to the extinction of slavery, which had been applied to other territorial possessions. But they would have done this as a concession to an extraordinary situation never again likely to occur: the mouth of the Mississippi was an asset that could not be duplicated. It was the assumption, cunningly incorporated in the treaty, that Congress might make the slave power predominant in the Union by multiplying States in foreign territories, that aroused his indignant opposition. There was the dead fly in the ointment of the apothecary which it needs no Scripture to assure us must soon become unpleasantly evident. What has been absurdly called "the envenomed anti-expansion sentiment" of Mr. Quincy culminated in language frequently quoted in the histories and cyclopædias. He advanced the opinion that with the unconstitutional admission of the Louisiana "the bonds of this Union are virtually dissolved; that the States which compose it are free from their

moral obligations; and that as it will be the right of all, so it will be the duty of some, to prepare definitely for a separation — amicably if they can, violently if they must." He thus asserted the indefeasible right of resisting acts that were plainly unconstitutional; it was the right certainly indicated by Jefferson in the resolutions he drew for the Kentucky legislature as early as 1798. It was the right conceded by John Quincy Adams, provided it was exercised under the sanction of conscience and in the fear of God. It was a right implied even by the great "Defender of the Constitution," when he uttered the obvious truism, "A bargain cannot be broken on one side and still bind on the other."

Massachusetts had accepted the Union as a compact between independent sovereign states. If there was any taint of treason in the situation, its stigma was upon those who by the usurpation of undelegated power had pushed the issue of the extension of slavery to the front. And at the front it remained, ever alert and aggressive, until the repeal of the Missouri Compromise and the passage of the Kansas-Nebraska bill aroused a political party to resist its encroachments.

Whether secession from the Union was a reserved right of the States has been debated on each side by men equal in uprightness and ability. The question was decided at Appomattox Court-House, and there is no appeal. Those who lived through the Civil War know how odious the doctrine of this reserved right could be made to appear. And those who believe, as I do, that resistance to it was then laudable as favoring the moral progress of man, shudder to remember how near to success came the attempt to divide the Union in the interest of slavery. As we read the chapters of history that give the facts of that terrible struggle, they seem like chapters of accidents. While there is all the virtue in an "if" that Touchstone ascribed to it, there are possibilities in that familiar particle from which we shrink in dismay.

If Prince Albert had died a few weeks earlier leaving unmodified the offensive terms in which Palmerston demanded satisfaction for the action of Captain Wilkes! If the exigencies of politics had sent a man of less wisdom and discretion than Mr. Adams to represent us in England! If a sudden hoarseness had prevented Henry Ward Beecher from going up and down that land and holding the working classes from

following the lead of the aristocracy! How easily these and a hundred other "ifs" might have confirmed the expectation of the South that European intervention would stop the war. But there is one "IF" that we may well write in capitals, for it dominates all the others. If there had been no great moral question involved, or if the moral issue had been the other way, the secession of those eleven States would have succeeded — and ought to have succeeded. Suppose they could truly have asserted that their industrial interests had been paralyzed by a tariff of doubtful constitutionality — a tariff imposed with no view to revenue but to enrich certain favored classes in other States — think you that men of intellect and conscience like Mill and Cairnes, John Bright and Labouchere, would have stood as a barrier to hold back the sordid interests that were anxious to crush us? What we call "the rebellion" was unsuccessful because the moral sense of the nations (with which their selfish rulers had to reckon) had reached a degree of enlightenment capable of perceiving that even if slavery could still be tolerated the time had passed when it could be encouraged. This position, held in 1861 by the general consensus of mankind, had been reached by Josiah Quincy and his friends in 1811, just fifty years before.

President Jefferson has been extolled for his supposed foresight in getting possession of the West; I submit that there was also foresight in the men who perceived the disaster that must come from an unconstitutional concession to the slave power — though I cannot claim that their imaginations were powerful enough to picture the horror of the consequences that subsequent history reveals.

I have implied that to obtain in clarified essence the lessons of the past it is not enough to divest ourselves of passion, of prejudice, of partisanship; we must also stifle the uplifting emotion of patriotism. The French historians are fond of considering what course history would have taken if something that unexpectedly happened had not stopped the way. And though I cannot for a moment admit the preposterous supposition that but for the treaty with France we should have lost the West, it may be permitted for a moment to enter the fairyland of conjecture and assume that the fear of the time was realized and that England had gained possession of it. We know that the mother country was eager to plant herself upon

this territory of uncertain limits. Napoleon's motive for selling was that the British fleet in the Gulf of Mexico stood ready to pounce upon it the moment war with France was declared. The London press was clamorous for its acquisition. Even up to the time of the battle of New Orleans, England had not relinquished her desires in this direction. If the treaty of peace had not been signed and the battle had gone the other way, Sir Edward Pakenham was provided with men of experience in civil affairs competent to govern the lands he hoped to acquire. Militant patriotism cannot contemplate the possibility of such a catastrophe without a shudder. But can the unbiassed student of history be so easily persuaded that a disaster to humanity would have come of it? Such an inquirer might remember that in 1832 the British Parliament voted a hundred millions of dollars to get rid of slavery in Jamaica, and that this was followed by its abolition throughout the British dominions. Knowing that the presidents of our universities are sober men not given to exaggeration of speech, he might recall the words addressed by one of them to the graduates of the present year. These young men were reminded that they were citizens of a country "strangely lenient toward political venality and civic corruption. We have seen great cities held in the grasp of self-appointed bosses and rural regions bought and sold in unblushing defiance of law." Possibly one might call to mind the language of that sterling American citizen, Dorman B. Eaton, who after due examination was forced to acknowledge that "England has brought about changes which have elevated the moral tone of her official life . . . while this great work has been going on in the mother country, we have fallen away from the better methods of our earlier history." The inquiry might be raised whether the average of human well-being in the British commonwealths, Australia, Tasmania, New Zealand, was decidedly less than with us. Some of these great States have attacked economic problems before which we stand dazed and helpless; from them we have borrowed two of the best of our recent acquisitions, the Australian ballot and the system of land registration. While England and her dependencies are far enough from being the ideal states that we hope for in the future, can it be asserted that their progress in that direction has been far less than our own?

The last legislature of Massachusetts increased the burden of her debt-laden people by contributing one hundred thousand dollars to the splendor of the celebration at St. Louis. Let us not forget that this same Massachusetts once declared by its legislature that Jefferson's treaty with France transcended the constitutional power with which Congress had been entrusted, and reaffirmed this belief as late as 1845 by declaring that "the project of the annexation of Texas unless arrested on the threshold, may drive these States into a dissolution of the Union." Robert C. Winthrop, her representative in Congress and for so many years the honored President of this Society, expressed the feeling of his constituents in these words: "I deny the right of this government to annex a foreign state by any process short of an appeal to the people in the form which the Constitution prescribes for its amendment."

I do not object to the appropriation for the St. Louis festival. It is pleasant to be captured by the spectacular, and perhaps there is too little of it in our common American life. Only a few fragments of history stick in the general memory, and it is easy to fashion these to any shape that may be thrust into the foreground of consciousness. It is easy to forget that organic law is the basis not only of order but of moral progress, and that after one compromise with principle there is no foothold in the descent. For the evil of such a compromise gradually increases until it becomes incorporated with our lives; and then we accept it as we accept the natural forces of the Cosmos by which we exist or cease to be. It is true, as Hamlet says, that "our indiscretion sometimes serves us well"; but it will always serve us ill if, dazzled by the splendor of its supposed consequences, we forget that it *was* indiscretion and call it by some better name.

There is good cause for much of the exultant patriotism that will be in evidence at the St. Louis Exhibition. Despite past errors and some present discouragements, the outlook towards the future justifies an invigorating hopefulness. The natural laws of economics are realized as never before, and civic duty was never put so near to the front of human obligations. Let the orators magnify those responsible for the Louisiana purchase, if this the occasion demands. But if they follow a not unusual procedure and stigmatize as "envenomed anti-expansionists," and credit with "a narrow parochialism," the Massa-

chusetts men who opposed the unconstitutional creation of new slave States, I believe that competent students of history will respond with the Scotch verdict, "Not Proven."

Remarks were also made during the meeting by the PRESIDENT, and Messrs. SOLOMON LINCOLN, EDWARD E. HALE, and FRANKLIN B. SANBORN.

DECEMBER MEETING, 1903.

THE stated meeting was held on Thursday, the 10th instant, at three o'clock, P. M.; the President in the chair.

The record of the last meeting was read and approved; and the usual monthly reports were presented.

Attention was called to the nomination for Honorary Membership to be acted on at the January meeting, and an informal discussion took place in which the PRESIDENT and Messrs. CHARLES ELIOT NORTON, EDWARD H. HALL, FRANKLIN B. SANBORN, WILLIAM R. THAYER, EPHRAIM EMERTON, ARCHIBALD CARY COOLIDGE, HENRY W. HAYNES, and WILLIAM W. GOODWIN participated.

The PRESIDENT made some remarks on the decaying condition of the old frigate "Constitution," and it was voted to authorize the Council to petition Congress to take such action as may be necessary to prevent her entire destruction.

He briefly announced the death of the Hon. Henry S. Nourse since the last meeting, and said: —

At the last meeting of the Society it became incumbent upon me to announce the striking of four names from our rolls of membership, — one from the Resident, one from the Corresponding, and two from the Honorary list.

Since the last meeting, — and following it by only two days, — on November 14, Henry Stedman Nourse, one of our Resident Members, died at his home in South Lancaster. So sudden and wholly unexpected was his death that, immediately before, he had been occupied with the reading and correction of proof sheets of the memoir of our former associate, John D. Washburn, which finds a place in one of the serials now on the table before me. Mr. Nourse was elected a member of the Society at the stated meeting November 14, 1889, — the meeting at which the President announced the death of Charles

Deane, than which the Society has never in my judgment sustained a greater loss. I regret to say that, owing to pressure of other engagements, — from sheer forgetfulness until too late, — I failed to arrange for the usual characterization of Mr. Nourse this afternoon. I will now, in announcing his death, merely say that Mr. Nourse had been a member of the Society exactly fourteen years. During those years he was one of our constant attendants. He also did his share of work. In March, 1893, he served on the Committee to examine the Cabinet; and, in 1900, on the Committee to examine the Library. Though he rarely took an active part in our meetings, there was, nevertheless, one exception to the rule which all who were then present will recall. Some of those here will remember the very interesting as well as instructive paper on the burning of Columbia, South Carolina, after its occupation by the army of General Sherman, in February, 1865, read by our associate Mr. Rhodes at our November meeting two years ago. Those of us who were present will not have forgotten that the paper was listened to very intently, and it was followed by an incident almost dramatic. Mr. Nourse rose immediately after Mr. Rhodes had closed, and quietly said he supposed it not improbable that he was the one person present who had also been a witness of the events Mr. Rhodes had so graphically described. He then went on to throw upon the narrative the light of his personal recollection; and what he said was very effective. It was calm, matter-of-fact, and simple to a degree, but wonderfully graphic. Always, and especially then, there was something about the aspect and bearing of Mr. Nourse singularly attractive and sympathetic, — a refinement in his face, a quietude in his manner, a gentleness of bearing and aspect, which could not fail to impress whoever came in contact with him. Thus to me, and I think not to me alone, his mere presence in this room was an inspiration. It is pleasant to reflect that his last act was the preparation of a memoir of a member of this Society.

Mr. Samuel S. Shaw was appointed to write the memoir of Mr. Nourse for publication in the Proceedings.

It was stated that a part of the bequest of the late Hon. Mellen Chamberlain had been paid into the treasury since the

last meeting, and Messrs. Charles C. Smith and Henry W. Haynes with the President were appointed a Committee to publish the "History of Chelsea," the manuscript of which had been given to the Society by Judge Chamberlain.

Rt. Rev. WILLIAM LAWRENCE, D.D., presented the memoir of the Hon. Roger Wolcott, which he had been appointed to prepare for publication in the Proceedings.

Dr. WILLIAM EVERETT called attention to the new instalment of Sir George Trevelyan's "History of the American Revolution," in two volumes, which he had presented to the Society. He regarded these as fully sustaining the promise of the first part. Sir George, though not neutral, for his sympathies, like those of the Whigs of 1776, are entirely with the Americans, is conspicuously impartial in the fair manner in which he deals with all prominent actors on both sides. It is to be feared that, like his uncle, Lord Macaulay, his fulness of detail — these two volumes occupy less than one year — will hinder a speedy completion of the work.

Dr. Everett also presented a memoir of his father, the late Edward Everett, LL.D. The first part is autobiographic, being in two portions of unequal length; these were found among Mr. Everett's papers, and are in the form of letters to a friend, though no person's name is used. The latter portion of the memoir is supplied by Dr. Everett. He related, in illustration of the President's exposition of fictions that pass for history, how it had often been asserted that his father having spoken in the National House of Representatives in 1826 had been denounced on the spot by John Randolph: as the latter was at that time a member of the United States Senate, the fiction is obvious.

Mr. GAMALIEL BRADFORD spoke extemporaneously on political conditions in the United States, and read some extracts from Ostrogorski's "Democracy and the Organization of Political Parties," which he characterized as a work of remarkable ability, and as showing a keen insight into the working of political institutions on this side of the Atlantic.

Mr. ANDREW MCFARLAND DAVIS communicated from the Winthrop Papers a copy of a tract on the Bank of Credit of 1687, and spoke in substance as follows: —

The Prospectus of Blackwell's Bank, 1687.

The "Fund at Boston in New England," an experimental attempt to supplement by Bank Credit the needs of the community in the way of a circulating medium, was organized in the fall of 1681. The project was so purely empirical that the founders made no appeal to the public until the spring of 1682, when, after a six months' test of the scheme, a pamphlet, eight pages in length, entitled "Severals Relating to the Fund,"[1] was printed. This, upon careful inspection, will be found to be merely a prospectus of the bank. It is true that there are references to succeeding pages and to matter intended to be placed therein, which at first glance would seem to indicate that these eight pages were but a portion of a larger publication, but statements made in the pamphlet itself justify the conclusion that while "Severals Relating to the Fund" was being run through the press, the project of its publication was altered, that certain matter was cut out, that other matter was introduced, and by this means the scheme of the Fund was brought within the eight pages then printed, leaving for future publication, in the form at first proposed, the matter originally prepared by the author. It may be doubted whether the fuller publication was ever made.

The scheme of the Fund had already been submitted to the Council. Failing to secure the approval of that body, the projectors of the movement began their operations in the fall of 1681, and issued this prospectus in the following spring. Subsequent events would indicate that there was enough of success in this proceeding to secure converts in the community with sufficient influence to bring about the approval by the Council of a similar scheme.

The new plan[2] was more ostentatious in character, and its purposes were more clearly defined, the proposed emissions being therein described as "Bank-Bills of Credit, signed by several persons of good repute joined together in a partnership." The title "Bank-bills of Credit," and the appeal for

[1] Reprinted in "Tracts relating to the Currency of the Massachusetts Bay," 1682–1720, pp. 1–11.

[2] An abstract of what was known of this bank at the time when "Currency and Banking in Massachusetts Bay" was written is given in vol. ii., "Banking," pp. 76 *et seq.*

confidence on the ground of the high standing of the signers of the bill indicate a clearer conception of the possibilities in the way of a paper substitute for the coined money which then constituted the only circulating medium, than can be inferred from the "Change bills" described in "Severals Relating to the Fund."

If we trace the progress of the Fund, as the story is narrated in the pages of "Severals," etc., we see that when, in September, 1681, the experiment was begun, it was approved by some, but met with disfavor on the part of others. On the whole, it was so far successful that at the end of six months it was thought, on the part of the promoters, "not fit to be longer silent," but to hasten "An Account of the Design."[1] The account thus hastened was "Severals Relating to the Fund."

In a similar way, on the 26th of February, 1714, the projectors of the bank which it was then sought to establish, issued as a prospectus a pamphlet entitled "A Model For Erecting A Bank of Credit," etc., said to have been printed in London in the year 1688, and reprinted in Boston in 1714.[2] This was followed, in October of the same year, by the publication of a pamphlet entitled "A Projection for Erecting a Bank of Credit in Boston, New England, Founded on Land Security,"[3] thus appealing to the public for support through the Scheme of the Bank.

It does not follow that the intermediate projection, Blackwell's Bank, was inaugurated by similar means, but it is perhaps a fair inference that such was the case. Even though we are dependent for our information concerning this Bank exclusively upon manuscript sources, we feel as if some time or other some printed account of it ought to turn up.

We know that Blackwell wrote "out the abstracts of the book intended to be printed,"[4] and claimed compensation from the Bank for the service. It is true that this claim was made after the project was abandoned; hence the inference may be drawn that if the book had actually gone to press, Blackwell would have referred to the publication as a "Book which was printed" rather than as one which was "intended

[1] Tracts relating to the Currency, etc., 1682–1720, p. 9.

[2] *Ibid.*, pp. 36–67.

[3] *Ibid.*, pp. 70–84.

[4] From a letter of Blackwell's quoted in "Currency and Banking," etc., vol. ii., "Banking," p. 80.

to be printed." The argument that the use of language expressing mere intention would preclude the idea that there had been any fulfilment of that intention would be much stronger, however, if applied to current affairs than it actually is in its application to events which occurred in the seventeenth century. An instance of the manner in which these words were formerly used is to be found in the proprietary records of Cambridge, where the two and two-thirds acres granted to the school or college are referred to in the boundaries of adjoining lots, for many years after the actual grant, as "land intended for the college." The conveyancer used the term as a means of identification of the land, and was indifferent to criticism on other points if it served that purpose. The descriptive use by Blackwell of the same phrase was for the same purpose; hence, if we should come across any special publication treating of this Bank, we should not be debarred from the conjecture that it was from the hands of Blackwell.

Unfortunately no such printed matter is at hand, and no printed reference to this Bank has been found, unless the statement made in a pamphlet printed in 1714 entitled "A Letter from one in Boston to his Friend in the Country," etc., that "Our Fathers about Twenty-eight Years Ago, Entered into a Partnership to Circulate their Notes founded on Land Security," [1] etc., shall be held to be such a reference. That the writer had Blackwell's Bank in view is probable, but it is also probable that he confounded it with "The Fund," since his evident intention was to convey the impression that the Notes were actually being circulated.

The conjecture that the manuscript prepared by Blackwell did find its way into print is strengthened by the discovery, among the Winthrop Papers in the custody of this Society, of a manuscript copy of a prospectus of the Bank which bears upon the titlepage the words "Published by the Proposers Anno 1687."

The fragments of the Constitution and the Rules of the Bank to be found in the Archives serve to identify the model upon which it was founded with that which is set forth in the pamphlet entitled "A Model for Erecting a Bank of Credit," reprinted in Boston in 1714. It is natural, therefore, to turn at once to this pamphlet and to institute a comparison be-

[1] Tracts relating to the Currency, etc., 1682–1720, p. 134.

tween the scheme set forth therein and that which is suggested in the prospectus said to have been published in 1687. Such a comparison reveals the fact that while there is matter in each not to be found in the other, the greater part of the contents of both are substantially identical. The two differ widely in the arrangement of the material, but they are plainly derived from a common origin.

I have elsewhere called attention to the fact that Hutchinson alluded in his History to a pamphlet of the same character as the "Model," etc., of 1688, as having been issued in 1684, and I then said, referring at the time only to the fragments of the Constitution and Rules of the Bank in the Archives, that there was indisputable evidence that the Model for a Bank suggested in the pamphlet of 1688 was in Blackwell's hands in 1686.[1]

The copy of the prospectus, being much more complete than the fragments in the Archives, furnishes a new and better opportunity for testing the truth of this assertion. The substantial identity of the two schemes will be accepted by any person who will make this comparison.

The prospectus is of sufficient interest in connection with the subject of Banking in Massachusetts in the eighteenth century to justify its publication, notwithstanding the fact that most of the contents have already been given us in the reprint of 1714. It is as follows: —

A DISCOURSE IN EXPLANATION OF THE BANK OF CREDIT | Or | An Account of the Model Rules & Benefits of | The Bank of Credit, Lumbard, | and Exchange of Moneys Proposed to | be Erected in Boston And managed | by persons in Partnership, as other | Merchantly Affayres. | Published by the Proposers. | Anno | 1687.

Briefe considerations tending Demonstratively to evince the Necessity, Security, usefulnes & Advantage of The Bank of Credit Lumbard & Exchange of Moneys Proposed to be Erected at Boston in New-England. And, That, Bank-bills of Credit will not only answer the Ends of Gold and Silver moneys, but are Preferrable to both. Also, some Rules & Instructions to be attended by all such as shall desire the Assistance of this Bank &c Touching the way and manner of their proceedings, in order to their Receiving the Benefits thereby held forth. viz:

[1] Currency and Banking, etc., vol. ii., "Banking," p. 75.

Some things Premised for Introduction
touching Banks in Generall vizt

Money, whether Gold or Silver, is but a measure of the value of other things: yet hath, for a long Succession of Ages (especially in the civillized & trading part of the world) obteyned to be the usuall & best known means of Inter-change.

This Measure & way of interchange was originally occasion'd by the experimented inconveniencies of Coñon Barter by Coñodities: In which way, unlesse both the parties dealing had like occasion reciprocally of each other's, the lesse necessitous over-reached the greater, by imposing ye Price of both: to his owne Advantage, and the others detriment, which was not equall.

The Inconveniencies of the way of Barter might have been much obviated, By a frequent setting a just & equall value of the Price of all coñodities, by publique authority, according as the plenty or scarceity of them should require, and the market had ruled: But, there being no such coñon standard, Money hath obteyned & been admitted as the best ballance of Trade, both by wise & un-wise. But, whether the Mynes faile, or men have not been so foreseing and industrious to bring into most countreys a sufficiency wherewith to manage their increasing trades; Or, That Traders, for want of other returnes, have been necessitated, for Ballance of the Surcharge of goods Imported, To Remit the Coynes of some Countreys into others; Or, For other unknown causes, 't is now so hard to come by, for the carrying on of trade, to answer the vastness of men's attempts & aymes of increase in Merchandize, as that it 's suspected to be insufficient in this age of the world: And that hath put divers persons & countreys upon contrivances, how to supply that deficiencie, by other Mediums: Some of which, have happily pitch'd upon That, of Banks, Lumbards & Exchange of Moneys by Bills: which have thriven with them.

The Two Former of these, vizt, Banks and Lumbards have been sett on foot in divers Countreys, by their respective publique undertakings, and have succeded to their abundant inriching. Perhaps others have thought, That would have occasioned the over-flowing of moneys amongst them: But, as the later have been mistaken, Or, their Surfeit of Trade hath obscured the visibillity of it, and protracted the considerations of Redressing, till it hath proved allmost Fatall, even to the giving a Sett, or declension to their Aspyrings therin; So, the Former have really experimented, that their Banks have been, as well amongst themselves, as with other Countreys, of greater value than the Species of Gold and Silver: and yet such places dreyne away the said species from the other that Court it, as the only reall good thing for a Countrey.

The Third, vizt. That of Exchange of Moneys, hath been for the

most part managed by the respective merchants of the same and other Countreys: who, in their particular dealings and correspondencies, have un-accountably controll'd it, to their great advantage also; and vary it often, in each Annuall Revolution.

'T is not doubted but that all Three of these might be improved and accomodated to the publique advantage of any countrey, and of this in perticular [Commuting only the Fund of the First from (but) an Imaginary being or presence of the species of Gold and Silver moneys lodged in such Banks, (which this place hath not in such plenty as to deposit for such a purpose) into Reall and Substantiall Lands & goods of un-questionable title and value (which this Countrey hath) and thence, more aptly Terming the Bank (which in other places is, in Repute, A Bank of Moneys) [A Bank of Credit] and the Bills issued on these Funds [Bank Bills of Credit] especially if such an affaire be managed in Partnership, by private hands, persons of knowne integrity, prudence and estates: all which will become thereby lyable to answer the injury, damage or Losse to any, by their undertaking. And, It seemes most necessary that some thing of this nature be sett on foot, for the present supply of the great scarceity of money here, for carrying on the Ordinary comerce amongst Traders; who, unlesse speedily releived by this medium, will, in all probabillity, be suddainly exposed to breaking and utter Ruine. But,

At present, we shall begin with, & principally discourse of the two first of these, vizt The Bank of Credit, as it may be rendred Susceptible of the second, vizt, The Lumbard conjunct: Accounting the One to be founded on Lands or Reall estates mortgaged; and the other on staple goods or personall estates Deposited: Such as any Countreys Products and Manufactures will by Art and Industry produce and furnish.

Here might be also discours'd A Lumbard for ye Poore (by some called Mons pietatis) But That 's fitter to be the handmayd of the other. For, 't will be too poore to incourage an undertaking by it selfe. Neither is there the same necessity therof as of the other in this Countrey at present. The paucity of the poore occasioning the use & imployment of all the hands we have, and calling for more, such are thereby provided for, who will betake themselves to industry, at such moderate wages as would enable them to live comfortably without exposing their imployers to like poverty with themselves. Besides, the other, vizt The Bank of Credit & Lumbard, when understood, and received by Generall approbation, will render this, as also that of the Exchange of moneys, the more intelligible, & in due time as usefull.

These things Premised by way of Introduction, we shall now proceed to that which more imediately relates to the Present Bank proposed to be Erected in this Countrey: which we define thus, vizt.

A considerable number of persons, some of each Trade, calling & condition (especially in the principall places of trading in this Countrey) agree voluntarily to Receive as ready moneys, of and from each other and any Psons in their ordinary dealings, Bank-bills of Credit, signed by severall persons of good Repute joyned together in a Partnership; Given forth on Lands of good title mortgaged; and staple un-perishable goods & merchandizes Deposited in fitting places to be appoynted by them for that purpose, To the value of about One halfe or Two thirds of such respective Mortgages & Deposits at the Rate of Fower pounds P cent P annum: which said Bills, in a kinde of Circulation, through their experimented usefullnes, become diffused by mutuall consent, passe from One hand to another, and so have (at least) equall advantages with the Current moneys of the Countrey attending them, to all who become satisfied to be of this Society or agreement, & that shall deale with them.

For Instance.

A countrey Chapman hath Lands (suppose) worth to be sold for 400^{L}: and being willing to inlarge his trade and dealings, as farr as his Estate will enable him, Or, having bought goods, for which he is indebted, and cannot otherwise pay for, He mortgages his Land in Bank for 200^{L}, more or lesse; and therupon receiveth severall Bank Bills of Credit for 200^{L}, &c, of severall values from 20^{S} and so upwards, to answer his occasions.

With these Bills he buyes such goods as he pleases, or payes his debts for what he formerly bought of the wholesale shopkeeper, or Warehousekeeper in Boston, or other Towne or Townes of Trade that shall fall into this way of dealing: and having Bank bills to deliver for them (which are of better value by 40^{S} in the 100^{L} than moneys, with this Society, as is hereinafter evinced) he buyes much cheaper than he could upon his owne Credit, or with money in specie.

The Shop keeper goes to the merchant, who thus agrees, and buyes of him other goods, with the same or like Bills, wherin he reaps the same advantage as he gave his chapman.

The Merchant buyes Bullocks, Hogs, Fish, Hops, Lumber, Pitch, Tarr, Rozin; Or any other of the Countreys Products or manufactures, of the Husbandman, Artificer, or maker of such manufactures.

The Husbandman, if a Farmer of Lands, Pays his Rent, and purchases more young Cattell of his neighbor, for Breed or Fatting. Or,

If an Owner of Land, and hath not sufficient stock to improve it, he also mortgages his Land, & has Credit to furnish himselfe. Or,

If he hath stock sufficient, and perhaps more than his present Farme can mantayne, He hath his eye upon a neighboring Farme that would be sold: He mortgages his owne Land in the Bank, and hath Credit to buye the other.

If then he want stock, He may also mortgage the Farme last purchased, and have Credit to enable him fully to improve & stock both: whereby he doubles his yearly advantages: and, if he can then content himselfe to live as frugally, and be as industrious as before, he may soone compasse to pay off his Debt, and Redeem his Land. Or,

He may continue the Credit he had, or take out more upon the Additionall improvement: and thus increase his purchases and estate as long as such an help is afforded.

Another Instance.

The Like may be don for carrying on the Opening and working in any Mynes, Myneralls, or Quarreys of stone, Lead, Tynn, Iron, Copper &c. Thus, vizt.

The Myne & Lands wherin the same is may be mortgaged, as aforesayd, to supply the Owner therof with Credit, for paying his workmen, in any sum of 20^{s} or above.

As fast as any of these metalls &c are wrought, fitt for sale if a Chapman be wanting, the metall may be brought into the Bank, and the Owner Receive Bank bills to the value of about two thirds therof, as aforesaid, to enable him to proceed on his works: and the metall lying in Bank is there readyer for a market than else where in his owne private house or warehouse, at very reasonable Rates for lying there: and may, with allowance of the Owner, be sold at such current Rates as he shall sett: and he become Creditor for so much to be discompted, or payd him, whensoever he shall call for it.

A Third Instance.

A Weaver of Cloth, Searge, or Linnen &c is imployed in any work house erected or to be erected, to carry on those respective manufactures: Also other Manufacturers and Artificers in Ropemaking, Cables, Rigging, Sayles, Ancours or any other, for the fishing trade, Merchants, or building of ships.

The Owner of such Work-house or materialls respectively consents to mortgage the same for 200^{l} in Bank-bills, more or lesse, as the work shall require, and the value of the house, or materialls will admitt.

With these Bills The Workmaster or Overseer buyes wooll, worsted, yarne, dying stuffes, hemp, Flax, Iron, Timber, Lumber &c of the merchant, warehousekeeper or other seller: and finishes forty, sixty or a hundred peeces, &c, more or lesse, of any the said Comodities, which, when wrought up for a market, if he want a Chapman he brings into the Bank warehouses, as aforesaid, or such yards, Docks or other places as they shall appoynt: takes up new Credit upon them, & leaves them there to be sold at his owne Rates, as aforesayd. Or,

A considerable parcell of Wooll, Cotton, Flax, hemp, Oyle dying stuffes, or other goods for his use, are offer'd for sale: He may pay One third therof by his wrought-up goods unsold, and, bringing these into the Bank, may receive Credit for paying the other two thirds, which he may take out in parcells, as he brings in any New-wrought-up goods: Or hath occasion to use them for making up more. And the Bank-storehouses will be to him, and all other Manufacturers, as Blackwell hall in London to the Clothyers, To assist his sale of them with out his trouble; for, Thither will all merchants have incouragements to come, to seek supplyes for transportation, and finde goods allwayes ready.

Other Instances might be multiplyed. But, By these it appeares, That,

1. The Manufacturer &c loses no time in looking out a Chapman.

2. Is allways furnish'd with Credit to buy his materialls at ye best hand.

3. The Merchant never Trusts, nor Warehouse-keeper. Or if he do, the plenty of Bills expedits his Chapmans sales, and consequently his payments. Whereby,

4. He has incouragement & stock presently to look out for more, of the same or other usefull merchandizes.

5. Sends forth the said Metalls, Clothes, stuffes Lynnen &c, amongst other merchandizes of the Product of this Countrey, or Imported.

6. Makes Returne of Bullion, moneys or other usefull goods, which are presently bought off with Bank bills. Or,

7. He may store them up in Bank-warehouses, and Receive present Credit wherewith to send out againe. And,

8 Thereby be inabled (at least) to double or trebble his yearly dealings, & receive proportionable advantages. This,

1. Increases & quickens Merchandizing and Trade.

2 Promotes shipping and Navigation. Which,

3. Increases the Kings duties, & consequently his Revenues.

4 Imployes the poore in the mynings & manufactures aforementioned.

5 Also, In that of Cordage, Sayles, Cables, Ancours &c for the fishing trade and navigation.

6. They get money by these imployments.

7 That enables them to buy up all necessaries for Clothing, victualls, paying debts, &c

8 This helps the consumption of, as well our own manufactures, as other imported goods and merchandizes; For, no man that hath wherewith to buy, will go naked, or be hungry &c.

9 This helps to civillize the Ruder Sort of people, & incourages others to follow their example in industry & civillity.

10 Thus, All sorts of persons become inabled to live handsomly, and out of Debt: and that prevents multiplicity of Lawsuites, charges, and troubles to the Government. But,

None of these Advantages may be expected out of the small pittance of Cash, that now is, ever was, or likely will be in this countrey, unlesse assisted in trade & inriched by the help this Bank proposes. But,

Obj. 1. Some perhaps will object, or say,

What do you tell me of Bank-bills & Credit? Unlesse you have moneys allwayes ready to give me in Exchange for Bank-bills when I ask it; I 'l never deale with the Bank; I understand Money: and what use & advantage is to be made of that. Will you not be bound to give me ready money for the Bank-bills I have, when I have occasion for Money?

Ans. 1. This Bank is not Proposed to be a Bank of moneys (wch is liable to un-expressible & un-foreseen hazards) but A Bank of Credit, to be given forth by Bills, to supply such as cannot get money (by reason of it's scarceity) with what so ever may be had for moneys. But,

2 If it be made appeare to you, that others who have money, will be willing to change your Bank-bills into those species of Gold & Silver, & thank you for offering them the occasion, (though the Bank do it not) you 'l have no cause so hastily to resolve against dealing with the Bank, &c. Especially if you may both be gayners by the Exchange. But,

3 If I ought you 500^{L} to be payd in Silver, & should propose to pay you in Gold, at the intrinsique coyn'd value, which, if you part with againe, will yeild you five pounds profit, or more, would you then Refuse Gold? Quis nisi mentis inops, &c. sayes a Poet.

Obj. 2. How will you apply this to make it Credible? Thus,

Ans. Who ever hath any Payment to make in Bank (which, in all probability if the Bank take effect will be every man that deales in above 20^{L} at a time) will finde, That he must pay 40^{S} more in every hundred pounds of ready moneys, than in Bank bills of Credit: which is about 5 pence benefit to the Exchanger in every 20^{S}.

Obj. 3. Then surely I may returne the Poets wonder upon the Bank.

Ans. Not at all. For they will not refuse money: But, Bank bills and Credit are so respectively adapted to answer the Two severall species of Gold and Silver moneys, as that, More than Gold is valued, by many men, above Silver, Proportionably will Bank bills be preferrable to either of them. For,

Q. Why is Gold Preferrable to Silver, so as that a person should give 1^{d} or 2^{d} in the pound exchange between them?

A. 1. For ease of Compting & carriage.

2 For Safety in travelling or hoarding up.

3 For the Advantage that some make by the exchange betwixt them: which lyes on the side of the Gold, but rarely is above 20^{s} in the hundred pounds.

Bank bills Farr exceed both, on all those Accounts. For,

(1) The only reading over of a Bank bill ascertaynes the sum or value conteyned in it: and, If many Bills be offer'd in payment of a considerable sum, Few persons that have occasion for many, but can easily adde or compt even sums, none conteyning lesse than 20^{s}.

(2) If a person be Rob'd of his Gold or Silver, whether it be upon the Road travelling; Or by thievs breaking open his house by day or night, when he is abroad or asleep: Or by Servants proving unfayth-full; Though he may possibly meet with the persons, earlyer or later, that took his money away; they may have spent it, or a considerable part of it; That 's lost irrecoverably: and it will be hard for the Loser to prove what he findes, to be his owne money: But if a mischance befall him in his Bills by any of those meanes, Or, by accidents of fire, water, wearing out, &c; He may have them renewed; if he forthwith apply to the Bank-house, and make a voluntary Oath therof, expressing the number, value & date of each Bill lost, &c; and will secure the Bank against all after-demands for the same Bills. By which meanes (most probably) the thiefe will be discover'd: for, the Bank will presently make publication therof, in such manner, as, if other persons, to whose hands they shall come, comply not voluntarily with the wrong-doer, to their owne prejudice, he will be soone detected and brought to condigne punishment. And, there can be no counterfeit of any bill given out, but the Bank can make out the truth of every man's bill, by it's counterpart remayning in their hands: So the difficulty of escape will deterre from the attempt.

(3) The Third perticular is proved in the answer to the second objection, vizt Bank bills will passe in the Bank at 40^{s} more than money in 100^{L}. Wheras Gold is very rarely above 20^{s} more than Silver. But, Besides, Money may not be transported without hazards; Partly by the penalties on the Transporter, by Law: Partly by Shipp-wrack, Piracy, &c. Bank-bills (with advices) may assist exchanges into England, & all other parts, when once this Bank shall have gotten into Reputation, allowing for the different intrinsique value of the severall current moneys in each respective place: as 100^{L} Bank credit of Holland, will be accepted in England & bought up at 102^{L}, sometimes 103^{L} of English Coyne.

Obj. 4. If therfore upon the whole, any shall say, However, Give me money, Or I 'l not deale with you, I Love to Look on it sometimes: Gold is sayd to be good for the Eyes, &c.

Ans. You may be assured, That if you shall choose rather to give

8^{L} per centu P annu for money, than fower for Bank bills, That are 40^{S} in the 100^{L} better; The Bank will be easily perswaded to settle some way wherin they may safely accomodate you with that eye-salve; and can bring in moneys to them, if there be any in the Countrey, when they shall see cause to value them equall with Bills: which (yet) they will never attempt to the prejudice of so many as will be of a different mind from you: But, you are rather to be suspected to have moneys than to want it; and would put it out at those Rates of Interest, as heretofore have been done, to the Ruine or impoverishing of many Landed persons; for whose Releife this Bank is principally erected: who, finding the ease this Bank affords, will herafter know where to be accomodated, on better termes: and without danger of being worm'd out of their Lands & Estates: It being the Banks Interest to continue to give out their Credit, on the termes proposed, till men can Repay. But,

Obj. 5. We know not the nature & constitution of this Bank: Nor what 's requisit for us to do in order to our being made partakers of the benefits & advantages proposed to such as shall voluntarily comply therewith. Nor, Do we see clearly our Security in so doing, nor upon what termes. Pray informe us of these things, so farr as we may be safely guided into the way, & unto the end of it. Also, In case this Bank should terminate, How we shall be dealt with all in the closing up of accompts, so as may be without damage, either to ye Bank or to those that shall so deale with it? We doubt not but you have as well consider'd the end as the Beginning. Though if it prove so usefull as is suggested, we can see no cause why a thing of so great advantage, in so many cases as have been instanced, should procure any persons ill will or wearinesse of it: And we are also satisfied, That an affayre of this nature, wherin the persons & estates of so many shall be involved, as it seemes probable there will be, can not suddainly be knock'd off, but with inconvenience.

Ans. We shall indeavor to give you satisfaction in each perticular, in the order layd down by you, as neare as may be. And,

First, As touching the Constitution of this Bank:

Take it thus.

1. There are 21 persons of good and Generall Reputation for integrity prudence & estates, To whom the Trust and care of the management therof is proposed to be Committed, wherof Seaven of them vizt. A. B. C. D. E. F. G. are conceved sufficient to appeare at the first entrance therupon; and untill by the coming on of busines it shall be judged necessary to settle the full or some greater number of them. These are all ingaged by Articles of Agreement & Covenants in Partnership to attend theron and be responsible for their doings, and These will sitt in some certayne place in Boston, to be herafter agreed upon,

from day to day, as the businesse & occasions of the Bank shall require, to Receive all Proposalls from any persons touching their having such Credit therout as they shall desire upon their Estates of Lands houses or staple un-perishing goods or merchandizes, to such value as they shall judge the security proposed of either kinde will admitt: and for drawing up & perfecting such Bank-bills, mortgages, Bills of Sale and Defezances therof, as Lands or goods respectively shall require. which said Respective mortgages and Goods, when perfected & brought in shall be layd up and stored respectively in as safe and convenient Roomes and Warehouses, &c, as shall be without exception, To prevent damage of wether, Robbery, Fire, water, or vermin of any kinde, whereby they may be impaired: And all under the Trust and custody of such number of the sayd Managers as no opportunity can be taken to impayre or lessen the security, unlesse all the partners should agree therin; which can not reasonably be imagined by any body that knowes them. Besides, There will be continuall watching on all such places, and it will be the Interest of all persons, any way concerned in the affayres of the Bank, to be carefull to prevent, and to give advertisement of any attempt made to the impayring or prejudiceing the Deposits in the Bank; for that their Livelyhoods and dependencies will lye in their preserving it in the greatest Repute, which upon the least violation will be utterly Lost, and the Bank fall to the ground.

2. These Managers aforesayd enter into and oblige themselves by Covenants and agreements to and with other persons called Assessors, (who were the Contrivers, Framers & Proposers of this affayre of the Bank: and of the Constitution, Rules & instructions to be observed in the management therof) for their diligence & faithfulnes in the discharge & execution of their respective Trusts, according to the sayd Constitution; and inviolably to observe the same, and all the Rules therof.

3. These Assessors have also, by the said Constitution, the oversight & Comptroll of the whole affayre, to see the same be so managed: And to that end, are dayly to inspect the management therof: and that the said Rules be duly observed on both parts, vizt, as well on the part of the Bank, as of the persons dealing with them in every office, or branch of the Bank; that all things be done with ustice and impartiality between them. And in case of absence of the Managers, may supply that defect, by their personall transacting the same things.

4. Each of the sayd Managers and partners are also to Deposit moneys, & other estates in the Bank as a stock or Fund: which will be a further security and obligation upon them for their upright dealing, for, thereby every of themselves, and the whole partnership become personally Interested and concerned to be carefull in every thing: and the whole society liable to answer the damages.

5. This undertaking was, in July 1686, Proposed to the then President

& Councill: and by them Referd to the consideration of the Grand & Standing Committee, consisting of Divers Eminent and worthy persons, Merchants and others, who Reported, as their opinion, that the erecting, Constituting & setling of a Bank of Credit, Lumbard & Exchange of moneys as was Proposed, may be very usefull and conduceible, to the incourageing of Trade, Navigation, Manufactures, Planting & improving of Lands & Estates, Increasing his Majesties Revenues, Facilitating the Payment therof, and of other Debts; And removing the present greatest obstructions therunto in this and the neighboring territories & dominions of his Matie, &c. And therupon received their allowance and Approbation. As by the sayd Report, and Order of Councill therupon, bearing date the 27th day of September 1686, Relation being therunto had for better certainty therof, it doth & may more fully & at large appeare. And,

Thus you have notice of the Originall Nature and Constitution of this Bank. The way & manner of it; and the Security of such as shall deale with them in this way.

> Secondly, As touching that which is farther Requisit for those to do and observe who shall voluntarily desire to Deale with this Bank. And the Rules to be attended, that thereby they may be made partakers of the benefits & advantages suggested, in the Instances before given; Take it in those perticulars.

1. You must Resolve to come to the Bank with as just a minde not to injure them, as all men that consider this Constitution, and know the persons imployed in the management and ordering the affayres therof will believe you shall finde in them towards you, vizt, Seek not to circumvent the Bank by bad titles of Lands or Estates: which you cannot but know. For, If you do, you'l be greatly injurious to them whose designe is to be so farr from injuring you, as they will, by all lawfull wayes, according to the honest Rules and meaning of the Bank, study to profit you: And this is no other than not to be or do evill to them who are good to you, which the very morall heathen will avoyd.

2. It will be also Requisit That you Assist, & what in you lyes Promote the Reputation of the Bank, & it's affayres & proceedings, in all lawfull wayes. For, 'tis a Generall Good to your Countrey, as well as perticular to your selves.

3. These things Premised, by way of Caution, when you have occasion to use the Banks assistance, Bring such security of Lands or goods as you have to offer, and take what Credit can, by the Rules of the Bank, be afforded upon it. And when you have their Credit, use it in some honest calling, or other just and necessary occasion, that, with God's blessing on your lawfull indeavors, you may reap the bene-

fit proposed; and may thereby be enabled, at the time agreed on for Redemption, To pay in the value of the Credit given out, with Interest every six months, after the Rate of fower pounds P centu P annu, in Bank bills: and so proportionably for lesser time than One yeare, if you shall take out or Redeeme your Estate sooner, (which you are to have liberty to do at your pleasure) But if you shall Redeeme it with or make any paym^{t} in moneys, you must pay forty shillings more in every hundred pounds: For, In order to the satisfaction and incouragement of such as doubt they shall not have money for their Bills: and, To the end the Current money that 's left in the Countrey, may be free for such as desire it, The Bank preferre their owne Bills to money, according to that proportion: and thereby give demonstration, that every man that hath Bills may procure money for them, with advantage, if there be moneys in the Countrey.

4. If you can not conveniently Redeme your estate by the time agreed, you are, notwithstanding, before or at the time appoynted, to Addresse your selfe to the Principall Managers, and propose to them the continuance of your Deposit, for such longer time as you shall think fitt: And if the same be a mortgage of Lands of un-questionable title, paying your yearly Interest or praemium every six months, as aforesaid, to that time, and charge of Registring your mortgage, they will prolong the same from yeare to yeare, as long as shall be desired, on the same termes. If, of staple goods and Merchandizes unperishable, (as for instance, Lead, Tinn, Iron, Copper &c) they will do the like: But, if of other goods that will be unsafe to keep longer than the time contracted for, or if any unforeseene incumbrances shall appeare on the said Lands, or question touching the validity of the Mortgagers title, you must either Redeeme them at the time or times agreed on, or they must and will sell them as soone after as they can, at the best Rates they can get; Paying to you the overplus above the value of the Credit issued upon them, The interest then due as aforesaid, together with the charges of the warehouseroome for the time the sayd goods shall lye there deposited, and other charges in sale therof and removall if any be, which they will deduct therout: For, they must not suffer damage to the Bank, which would also be injurious to all those concerned with them as you are.

5. You may at all usuall howers of the day have accesse to your goods in the Bank ware-houses, (in the presence of such as the Principall Managers shall substitute, and intrust with the keys therof) to see that your goods are not damnifyed, as also to Provide against the same, and to show them to Chapmen: In order wherunto, there will be Porters belonging to the Bank, such as they can intrust, and no others, to Remove or Romage your goods, and to do such businesse about them as you shall desire, you paying such moderate Rates for

your goods lying there, as, according to their bulkinesse, shall be judged fitt, and agreed on to be reasonable to be allowed for the same, at the time of Depositing them, and during such time only as they shall continue there; for, The Bank-warehouses will be to all men as their owne Warehouses, save that none will be admitted to come into them, but under observation that nothing be imbezzled, or unduly removed with out the managers order.

6 You are also to Take notice by these presents Printed, and to owne and agree unto this as One Fundamentall Rule in the Constitution of the Bank (without agreeing to which the Proposers & managers thereof dare not give you the assistance Proposed) That, in case the Creditors of this Bank shall agree to desire, and accordingly declare in writing, That there be a determination put thereto: Or, if on any other account whatsoever the Determination therof shall be judged necessary by the sayd Proposers & Managers and Declared in writing as aforesaid (wch cannot be without allowance and ascertayning of a reasonable time betwixt the said Creditors and the sayd Proposers and managers for closing up the same, and the Accompts therof, so as may be without damage to them, or either of them) That, as no person is hereby, or shall be compelled to accept Bank bills of Credit, unlesse he shall voluntarily agree so to do, and for no longer time, nor otherwise than he shall so consent, So, no man paying his praemium & charges as aforesaid for the Credit he hath, shall be compelled to Redeeme his Pledge, being of personal estate, sooner than the time contracted for, and the nature of the goods deposited shall require. And to the End the Mortgager of Lands, of unquestionable good title, may not be distressed to his undoing, in case he should, by reason of such Declaration, be suddenly called upon to Redeeme the same, (which may be impossible for him to do in some yeares, through the scarceity of moneys) That all and every Mortgager of such Lands, in such case only, shall or may have and take six years time after such Declaration aforesayd to be allowed unto him his heirs or assignes, for Redemption of his Lands: He or they paying after the Rate of six pounds P centu P annum, in ready money, at the end of every six months, for the continuance of the Credit he had therupon, from such time as the sayd Declaration shall be perfected, untill he shall Redeem the same: And, That the Managers & undertakers of this Bank shall or may have and take One full years time more, from the expiration of the sayd six yeares, to be allowed unto them, for selling the said Lands, or such of them as shall not within the said six yeares be redeemed; whereby they may be enabled to Receive in and exchange all Bank-bills then granted forth, into the now Current Coyne or moneys of this Countrey, or other Moneys being not of more intrinsique value than what now passes; Or otherwise satisfy the same,

by such Proportions of the said remayning Lands, or other effects, as shall be judged to be of equall value; Paying to all the Creditors who shall then have any Bills in their hands after the same Rate of Interest, for so long time after publishing the said Declaration as the said Bills shall remayne in the said Creditors hands un-occupied, with Deduction and allowance only of the praemium contracted for, as aforesaid: And that such Bank-bills, as, before such Declaration made, have been given forth, upon the Reall or personall securities aforementioned which remaine in the possession of the said Bank, may & shall be esteemed and passe as Current moneys, of the value of the present Coyne, in all Receipts & payments what so ever, during the sayd termes.

Obj. 6. But, None of the forementioned cases reach my Circumstances and Condition: My Lands or goods are allready Mortgaged or incumbred to persons on a higher Rate of Interest: and they will not quitt them till I can pay them off. They say, They will not accept of Bank-bills: and if they would, you 'l not part with any till the Lands, &c, be really made over to the Bank. Can you Releive me and persons under my circumstances?

Ans. Doubt it not. If the person you are concerned with will not be lead by the Consideration of the Reall advantages to be made by Bills beyond moneys, herinbefore exprest, There will be other persons, whom you may be informed of at the Bank, who, on Bank-bills of such sum or value as you should pay in moneys, and assurance of the Bank's satisfaction in the title & value of your Lands &c will provide and lay downe the moneys you owe them, if there be any moneys in the Countrey to be had: and you shall also be assisted therin by the Bank's Counsell, Solicitor or attorney at Law, with advice & furtherance, as your case shall require, for the accomplishing your desires, on very reasonable termes.

Obj. 7. But I have neither Lands nor Goods, that I can spare, yet if I could procure moneys, or such Credit as you speak of, I have been brought up to a calling wherin I could live and mantayne my family comfortably, though I payd a higher Rate of Interest for it than the Bank requires: And I have friends too, that would Assist me upon my owne word or Bond, but they say money is not to be had, and they cannot help me.

Ans. If your Friends have Lands or goods They may have this Credit, which will be equivalent with money, to supply you withall, at such Rate of Interest as you can afford to give, & as their friendship & charity shall incline them: whereby (also) they may be gayners, and thereby incouraged to assist you; if they jude you faithfull and laborious in any vocation likely to mantayne you.

Much more might be sayd upon this Subject: But, These seeme to be sufficient to encourage an Attempt. And, the experimente of the

things suggested will give such cleare Demonstrations of the usefullnes, Advantage necessity and Security therof, as, Those who are not so prompt to receive things into their understandings by the Notions of them, or are prejudiced by mistaken apprehensions about them, may be presumed will follow others Examples in well-doing, when they are observed to thrive who goe before therin.

We shall therfore Sum up all in this Generall Assertion, That, There will arise many more conveniencies & advantages by this Bank than have been Enumerated, or well can be.

By this, The trade and wealth of this Countrey is established upon it's owne Foundation, & upon a medium or Ballance arising within it selfe, vizt, The Lands & Products of this Countrey; and not upon the Importation of Gold or Silver or the Scarceity or plenty of them, or of any thing else from Forreigne Nations, which may be with-held, Prohibited or Enhansed, at their pleasures.

Our owne Native Coñodities will thus become improved to a sufficiencie for our owne use (at least) & thereby afford a comfortable subsistence to many ingenious and industrious persons amongst us, who know not at present how to subsist: and this will draw over more inhabitants and Planters.

It will not be in the power of any, by extortion and oppression, to make a Prey of the Necessitous.

The Fishery of these parts will be improved, The Navigation and shipping increased for use or sale:

His Majesties Revenues here, in consequence of all these, will be much inlarged.

The Rents of Landed men will be increased, and the payment of them, and all publique taxes facilitated. Yea, The Purchase value of Lands will rise, For, the plenty of Money, or a valuable Credit equivlent therunto, and the Lowering of Interest, must necessarily have that effect. To which may be Added, That, The lesse need there is of money by reason of such current Credit, the more will be the increase of money itself, as, is manifest in Holland, Venice, and all places where Bank Credit supplyes those species.

In Order therfore, and as Preavious to the entring upon this affayre: As it hath been Deemed Expedient to make publication of these things, in the Name of the Proposers, for information; submitting them to the view and Consideration of all men; That each may know his owne share and interest in this Bank, and practice what he shall approve: So, These will be shortly followed with the tender and Proposall of a Subscription to be made (by such as shall voluntarily desire to be concern'd therin) of Receiving and Paying away the Bank-bills of Credit that shall be issued by this Partnership, as ready moneys, in all their Ordinary dealings of buying & selling One with

another, and also, of and from all other persons with whom they shall have to do in their traffiquing affayres, wherupon they are to receive or pay Moneys. The Ground of which subscription is, To the end that, Before the Actuall issuing out of any Bills, it may, By the returne of such Subscriptions, be Rationally conjectured, that this undertaking will receive incouragement by such number of persons of all trades, callings, Ranks and conditions subscribing thereto, as may be judged sufficient to lay the Foundation of a Circulation and passing of this Credit, as ready moneys, By a Generall, Or at least considerable, voluntary vogue, though not universall concurrence, approbation & consent, which being, by the Returne of the sayd subscriptions made knowne to the Partnership shall be digested into Alphabetical Lists, as well of the names of the persons so subscribing to Consent, as of their respective Trades or callings, and places of habitations, To lye in a readines for the view of all who shall accept this Credit, that they may know with whom to buy and sell in this way. After which, no further time shall be lost, But the Proposers & Managers of this Bank will suddainly meet together, and sitt, from day to day, in some convenient place for carrying on the sayd affayre: Wherof notice shall be given, as also of the usuall howers of their so meeting: That if any who shall not have subscribed such consent, upon the first tender therof, shall be desirous of further satisfaction by personall conference, Or, shall receive satisfaction, and desire to be enlisted as voluntary Dealers with the Bank, they may know when and where to apply themselves, for that purpose: and have their names &c, incerted in such Alphabeticall Lists, for observation, if they shall desire it.

Quo comunius Eo melius.

Finis.

Mr. JAMES F. HUNNEWELL read the following paper:—

Another Bunker's Hill.

At the meeting in January, 1903, I read an account of my visit to Bunker Hill in Derbyshire, England, and stated that if an opportunity occurred I proposed to visit another hill bearing the same name in Devonshire. On August 29th the opportunity came, and I now describe what I found.

A direction to the latter is given in the Proceedings of the Society (II. xii. 423), where it is said that the Hill is near Bourton, "a farm house or two, and a few cottages," less than a mile from Totnes.

At a corner of the pretty garden behind the "Seven Stars" in this quaint town, the landlord pointed out to me a high

and long ridge with a slight upward curve, partly yellow with grain, and rising above intervening trees. That he said was Bunker's Hill, where on account of its prominence, I understood, bonfires had been lighted to celebrate great events. Before I became acquainted with him and his attractive old house I had, however, found and ascended the Hill, taking my first direction from the Post Office. Crossing the Dart by the bridge at the foot of the long sloping main street of the town, the way is up another long street, steeper and not so straight, and then by a side road ascending higher. From time to time inquiring the way, as was necessary, I found that the Hill and Bourton were known by the persons I met, or, as might be stated, that they were generally known in the region, but no one could tell why the Hill received its name. The only person who ventured on a chronological statement was a gray old farmer, who replied that the name was given "afoor moi toime." It may be added that no success has rewarded a search among books.

Going over a ridge and down hill by a sunken road lined by earth-banks and hedges in Devon style, I came to Bourton. It is not even a hamlet, but a farm-house up a short and dirty side lane, — a long, new-looking house, two-storied and slated, built of limestone. In front were dahlias and other flowers, a barnyard, and an older cow-house. Thence I walked across a hollow, and again ascended, three-quarters of a mile it seemed, by a winding road, little used, narrow and muddy, and much of it sunken. It led me to the crest of a broad and very elevated ridge, and this is Bunker's Hill, Devon. This crest extends half or three-quarters of a mile, and is traversed by a narrow grassy roadway lined on each side by rough hedges. I walked the whole distance, and here and there through openings in the hedges had wide and noble views in each direction. Southward they are over great swells of land with grass and hedges; northward over a hilly rural country to the wild, bare heights of Dartmoor, — depressed pyramids, with the two lofty points or horns of Haytor most prominent. Twenty miles in each direction was seen the charming picturesqueness of Devon. From the American Bunker's Hill we can still see the rocky and forest-clad hills of the Middlesex Fells, looking wild and primitive as in the times of the Revolution, or those of the earliest English settlers or of the aboriginal

red-men. From the Devon Bunker's Hill we can still see the vast reach of lonely and mysterious Dartmoor, just as it was, seemingly, before the realm of England was, before the Romans saw it, as the earliest Britons knew it — in a now densely inhabited country, — the same wild region that man has seen it from the shadowy prehistoric age to that of Sir A. Conan Doyle and the "Hound of the Baskervilles."

No day could be clearer there than the one when I gazed on this wide landscape, alone with that ancient region, for, though an hour there, not another human being did I meet. I had seen all of it. In the morning we had driven from Torquay over high land commanding much of the view; and our coachman, who knew the country, remarked that we might come twenty times and not have such clear weather. Before the next morning, to keep the average of local conditions, it was raining like the days of Noah revived.

A visit to this Devon Hill gives one a walk of four or five miles, for parts of the road do not allow pleasant driving; and it is a walk well worth taking, and commended to any one who delights in the best of old English scenery.

Hon. Samuel A. Green communicated in behalf of Mr. CHARLES H. HART, of Philadelphia, a Corresponding Member, the following paper: —

Paul Revere's Portrait of Washington.

It gives me much pleasure to present to the Massachusetts Historical Society a photograph of what I believe to be the long-looked-for portrait of Washington engraved by Paul Revere. In the Life of Revere by E. H. Goss (Boston, 1891), on page 501, is printed a letter from Paul Revere to his cousin Mathias Rivoire, in France, in which Revere says: "Before this reaches you, you will have heard of the victory gained over the British Army by the Allied Armies, commanded by the brave General Washington. A small engraving of him, I send enclosed. It is said to be a good likeness and it is my engraving." Rivoire writes in reply: "I have received in course your letter, dated 6th of October, 1781, together with a silver seal and an engraving of General Washington, representing a gallant warrior." We are so apt to regard the term "engraving" as applying only to those done upon copper

or upon steel, that we have looked for a small copperplate portrait of Washington, signed by Revere, similar to his portraits of Sam Adams and of John Hancock published in the "Royal American Magazine" for 1774; overlooking the fact that Revere engraved not a little on type metal, and that his "small engraving" of Washington could not have been signed, or he would not have written "it is my engraving."

In my researches, during the past six years, while preparing for the Grolier Club my "Catalogue Raisonné of the Engraved Portraits of Washington," which will be issued next January, I have kept a close lookout for this Revere Washington, but it has eluded my vigilance, unless I am correct in my view that the type-metal portrait ($2\frac{1}{2} \times 3$ inches) photographed is the one by Revere that we have been seeking. It will be borne in mind it was in the year 1781 that Revere sent the portrait of Washington to France. In this same year, 1781, there was published in Boston, by John McDougall & Co., "Weatherwise's Town and Country Almanack," on page 7 of which is printed the type-metal portrait of "His Excellency | George Washington Esq | Commander in Chief of the Armies of the | United States of America," which I have had photographed.

Now while I admit it is difficult to understand how anything so coarse and crude could be called "a good likeness," or be commented upon as representing "a gallant warrior," I believe this to be the "small engraving" sent by Revere to his cousin Rivoire that has been sought for in vain so long. It is after Peale's portrait of Washington, which he scraped in mezzotinto, in 1778, and of which I know of but three impressions, one being in your own cabinet. The ornamental border around the portrait is much in the style of Revere's engraved work on his silverware, as also on his *ex libris* plates; and it is also quite like the type-metal headpiece of the "Royal American Magazine," which Revere did engrave. The titlepage of the almanac mentions "a large and beautiful copperplate representing a Picturesque View of Great Britain" as an embellishment. I have been able to find but five copies[1] of the Weatherwise Almanack, for 1781, and un-

[1] In the Library of the Massachusetts Historical Society, first and second editions; in the Library of Congress; in the Public Library of Boston, and in the collection of Mr. E. B. Holden, New York; the latter the one photographed.

fortunately not one of them has this "beautiful copperplate," an inspection of which might show the name of Paul Revere as its engraver, which fact would be strong persuasive proof that the type-metal portrait of Washington, in the same almanac, was by the same hand. I think therefore this type-metal portrait of Washington may be accepted as the Revere "small engraving" until the ascription is disproved by the production of a copperplate print bearing his name as engraver. My reasons may be marshalled as follows: —

1. The year in which the portrait was sent to France by Revere and published in Weatherwise's Almanack is the same, 1781.

2. The portrait sent to France was a "small engraving," and did not bear Revere's name, or he would not have added "it is my engraving."

3. It is upon type-metal, a composition engraved upon by Revere.

4. Its style is similar to work by Revere upon silverware, *ex libris* plates, and the headpiece to the "Royal American Magazine."

Remarks were also made during the meeting by Messrs. Henry W. Haynes and Charles C. Smith.

Two new serials, one covering the record of the October meeting, and the other that of the November meeting, were ready for distribution.

MEMOIR

OF

ROGER WOLCOTT, LL.D.

BY WILLIAM LAWRENCE.

For more than two and a half centuries the ancestry of Roger Wolcott has held a high place in the annals of New England and the country.[1]

In the year 1630 Henry Wolcott, a country gentleman from Tolland, Somersetshire, with his wife and sons, landed at Boston. Settling first at Dorchester, he removed with Mr. Wareham's church to Windsor, Connecticut, where he became a leading citizen, being a member of the lower house of the first General Assembly held in Connecticut in 1637, and a member of the House of Magistrates. His son Simon was a selectman of Simsbury and captain of the train band.

In 1679 Roger Wolcott, son of Simon, was born. He held many public offices, and as a Major-General was second to Sir William Pepperrell in command of the expedition to Cape Breton. In 1750 and for four successive years he was Governor of the Colony of Connecticut. Roger's son, Oliver, also held many offices in the colony: he was a member of the Continental Congress, a signer of the Declaration of Independence, Major-General of the militia of Connecticut, Lieutenant-Governor, and finally Governor.

Of the two sons of Oliver Wolcott, the first, Oliver, served in Congress and in the army, was Comptroller of the Treasury, and succeeded Alexander Hamilton as Secretary of the Treasury. For two years he was Governor of Connecticut. The second son, Frederic, who was grandfather of the subject of this memoir, was a public-spirited citizen, and served the

[1] *Vide* Roger Wolcott, by William Lawrence. Houghton, Mifflin & Co. Boston, 1902.

Roger Wolcott

State in the Legislature and on the bench. He married Elizabeth Huntington, whose grandfather, Jabez Huntington, served in the War of the Revolution as a Major-General of the State Militia; and whose father, Joshua, joined Putnam's Brigade and was commissioned Colonel. Joshua Huntington Wolcott, son of Frederic and Elizabeth Huntington Wolcott, father of Roger Wolcott, came to Boston as a young man, and after serving as senior apprentice in the counting-house of A. and A. Lawrence, became a partner in the firm.

He was a man of public spirit, high character, and ability, and of exceptional grace of manner and dignity of bearing. He married Cornelia, daughter of Samuel Frothingham, of Boston.

On July 13, 1847, their second son, Roger, was born. His youth was passed in Boston, and at Blue Hill, Milton: he attended Mr. Dixwell's school in Boston, and was nurtured in the pure and religious influence of his home. The outbreak of the War of the Rebellion and its events made a deep impression upon the boy. His only brother, Huntington, a youth of eighteen, went to the front as a lieutenant in the Second Regiment of Cavalry, Massachusetts Volunteers, and after serving creditably in the last campaign before Richmond, was brought home to die of typhoid fever. Inseparable as the brothers had been through boyhood, Huntington's chivalry and patriotism deeply affected Roger's character and were his constant inspiration in later life.

After a year with his parents in Europe he entered Harvard College in the sophomore year and graduated with the class of 1870. He took high rank, was class orator, and had the respect of teachers and classmates. He taught at the College for a year in French and History, passed a year in the law office of Lothrop, Bishop, & Lincoln, and two years in the Harvard Law School, from which he graduated in 1874. The same year he was admitted to the Suffolk Bar.

Entering upon the practice of law, he was soon drawn into matters of public and philanthropic interest, and accepted also positions of commercial responsibility. In 1877, 1878, and 1879 he served as a member of the Common Council of the City of Boston. In 1882, 1883, and 1884 he was an efficient and respected member of the lower house of the State Legislature.

Although Mr. Wolcott was by inheritance and conviction a member of the Republican Party, he felt unable to support the presidential nominee of that party in 1884, Mr. James G. Blaine, whose leadership meant to him the encouragement of unworthy and evil elements in the national government. He therefore voted for the Democratic candidate, Mr. Cleveland.

Soon after, Mr. Wolcott's high character, independence, and efficient service in public office won to him the support of a body of young Massachusetts Republicans who were working for higher standards in the party, and in 1890 he was elected first president of the Young Men's Republican Club of Massachusetts.

At the State Republican Convention of 1892 he was nominated for the office of Lieutenant-Governor, and entered actively into the campaign. William E. Russell, then the popular Governor of the State, a Democrat, was re-elected. With that exception the Republican ticket was successful, and Mr. Wolcott became Lieutenant-Governor.

In his delicate position as Lieutenant to a Governor of a different party, Mr. Wolcott acted with tact and decision.

In the three following years, with Frederic T. Greenhalge at the head of the Republican ticket, Mr. Wolcott was re-elected Lieutenant-Governor, and upon the death of Governor Greenhalge, March 5, 1896, he became acting Governor. Just a century before, in the year 1796, Oliver Wolcott, then Lieutenant-Governor of Connecticut, announced to President Washington that in consequence of the death of Governor Samuel Huntington he had entered upon the duties of the office of Governor.

In 1896 occurred the critical election in which the Republican party, led by Mr. McKinley, defeated the Democratic with Mr. Bryan at its head. Mr. Wolcott, who was nominated by the Republicans for Governor, took an active part in the campaign, and in the election swept every city and town (except one) in the State, being elected by a much greater majority than had ever before been given to a Governor of Massachusetts. In 1897 he was again elected by a great majority, and again in 1898.

Until the outbreak of the war with Spain there were no special events to mark the administration of Mr. Wolcott. Conscientious, a hard worker, approachable, frank, and genial,

Mr. Wolcott filled the office with dignity, efficiency, and grace. By positive action he protected the rights of the people, upheld the purity of the civil service, and improved the methods of State administration.

During the months preceding the war with Spain, Mr. Wolcott sympathized strongly with the efforts of the President to avoid a war; at the same time he was active in forwarding the preparations of the militia for active service in case a call for troops should be made. When therefore war was declared, Massachusetts sustained the high reputation for promptness of service which she had gained in earlier wars. Hers was the first volunteer regiment to report in a United States camp and to land in Cuba. The excellence of their equipment led to the sending of her regiments to the front; hence the State had a larger proportion of her troops in Cuba and Porto Rico than any other State in the Union.

Governor Wolcott, whose father had been treasurer of the Sanitary Commission in the Civil War, was also active in organizing volunteer methods for the relief of the sick and wounded. He gave to the soldiers such personal attention and sympathy as won for him the affection of the men and increased the loyalty which the people of the Commonwealth felt for him.

Mr. Wolcott, whose bearing was that of a high-born gentleman, was thoroughly democratic in his feelings and convictions. He confided in the people and knew no distinction of classes. The people had full confidence in his just administration of public office. Coming to his decisions deliberately, he showed in them a thorough knowledge of the facts, wisdom, and an excellent judgment. Tall and erect in form, handsome in feature, and gracious in manner, frank and true, he gained the hearts of men, women, and children throughout the Commonwealth.

The public life of Mr. Wolcott was simply one expression of his sense of duty and gladness of service. To that he gave much of his strength, as it came to him by the call of the people. He was a man, however, of broad sympathies and varied interests. He had a keen love of literature, he was a student of history, especially of his own country, and was an active and useful member of this Society.

As an Overseer of Harvard University, he gave much

thought to its administration, and was always loyal to its best interests.

He was of a domestic nature. His filial devotion was exceptionally tender, and his married life most happy. In 1874 he married Edith Prescott, daughter of William Gardner Prescott, and granddaughter of the historian, William Hickling Prescott. He left four sons and a daughter.

His religious faith was deep and simple. He was a Unitarian, a faithful worshipper and communicant in King's Chapel.

Having served the State for seven years as Lieutenant-Governor and Governor, Mr. Wolcott retired from office at the close of the year 1899, and soon went to Europe with his family for a few months of rest.

President McKinley, appreciating his character and ability, asked him to serve on the Philippine Commission, and appointed him to the post of Ambassador to Italy. These positions he declined.

In November Mr. Wolcott returned home. He was almost immediately attacked by typhoid fever, and on December 21, 1900, died at his home in Boston, mourned by the whole people.

[A fuller account of the life and character of the subject of this memoir was published by the writer of it in 1902. Boston: Houghton, Mifflin & Co., 12mo. pp. 238. — EDS.]

MEMOIR

OF

EDWARD EVERETT.

COMMUNICATED BY

WILLIAM EVERETT.[1]

DEAR SIR, — You requested me, some months ago, to furnish you with an account of the principal incidents of my life, which I, somewhat inconsiderately perhaps, promised to do. Of this promise you have repeatedly reminded me. I feel more than ever, as I approach the subject, that those incidents are of no importance to any one but myself; and no consideration but that of my repeated promise induces me now to attempt the narrative. I do it without leisure to refer to any memorandum, and may therefore fall into some slight inaccuracies, in recalling the events of a period exceeding one half of "the three score years and ten."

I was born at Dorchester, in the County of Norfolk and State of Massachusetts. My father, Oliver Everett, was the son of a farmer in the town of Dedham of the same county, and descended from one of the early settlers of Massachusetts, who established himself in Dedham, nearly two centuries ago, where the family still remains, like their predecessors for five generations, respectable cultivators of the soil. My father was one of nine or ten children, and the moderate circumstances of my grandfather put it out of his power to give more than one of his sons a college education. One of my uncles was selected for this purpose, and my father was apprenticed to the trade of a carpenter, a trade which had been pursued by other members of the family. My father's constitution was not robust, and he found the trade, to which he had been apprenticed, beyond his strength. He however served out his

[1] See *ante*, p. 62. For the tributes to Mr. Everett at a special meeting of the Society held January 30, 1865, see Proceedings, vol. viii. pp. 101–170.— EDS.

time at it; and then contrived, by what means I have never heard, to fit himself for [Harvard] college, which he entered in 1775. The age he had then attained — twenty-four — shows that he had to struggle hard to effect this object.

The college, like everything else, suffered severely by the war. There was no commencement in 1779, when my father took his degree. In five years, he was settled in the New South Church in Boston. President Allen, in his Biographical Dictionary, remarks of him that, "after a ministry of ten years, and after having acquired a high reputation for the very extraordinary powers of his mind, the state of his health induced him to ask a dismission from his people in 1792." He was succeeded by Dr. Kirkland, afterwards President of Harvard College.

On my father's retiring from the ministry, he purchased a small estate in Dorchester, upon which he supported his family, upon the frugal savings of his salary, for the rest of his life. In 1799 he was appointed a judge in the Court of Common Pleas for Norfolk County. On the decease of General Washington, he was requested, by the citizens of Dorchester, to deliver a eulogy before the town, which was printed. My father's health was feeble, from the time of his leaving Boston, and he died at the age of fifty-one, on the 19th of December 1802, leaving my mother a widow with seven children, to which number an eighth was soon added.

My mother was the daughter of Alexander [Sears] Hill, whose father and forefathers had been Boston merchants from a very early period of the settlement. My mother's father had married and established himself in business at Philadelphia, where my mother was born. Both her parents died, leaving my mother and one sister orphans, at a tender age and without property. My great-grandfather, Mr. Alexander Hill of Boston, (who survived my mother's father thirty years,) took my mother and her sister home; the sister died, and my mother was brought up by my great-grandfather. I believe my father married about 1785.

I was born on the 11th April 1794, being preceded by two brothers and one sister (born in Boston) and followed by a sister and three brothers. Although my mother had good expectations from her grandfather, who was thought a rich man for those days and had but two heirs to his estate besides my

mother, yet as he outlived my father, I believe my father acquired no property by his marriage. He brought up his family in a decent but strictly economical manner.

I was sent at the age of three years to a school kept by a school-mistress in the neighborhood; and at the age of five, I went, with my elder brothers, to the town school on the Meeting-house hill. I was put into the lowest class in the school, but it was above my capacity. I remember I used to spell the words just as the boy above me did, which was, of course, wrong, or they would not have passed to me. But I could think of no other way. I recollect some trifling incidents as far back as 1797, when I was three years old; and I recollect writing *1799* at the bottom of the page in my writing book, and this is the oldest date of the year which, as such, I remember. I began the study of English grammar out of the compend of Caleb Bingham. I recollect being perplexed by the schoolmaster's erasing the *pluperfect* tense of the verb, from my little Accidence. If it was wrong, I wondered why it was put in the book; if it was right, I wondered why it was crossed out by the master.

In the summer of 1802, I left the school on the Meeting-house hill, to go to the district-school, then newly erected, opposite the north burying ground, near our home, and kept by Mr. Wilkes Allen, now the minister at Chelmsford. I was but about eight years old, but as the school mostly consisted of small boys, I was in the first class. Not long after the establishment of this school, in which my father had taken an active interest, he died, after an illness of fourteen days. I was too young at the time to feel the extent of my loss, which I have had reason to do very seriously in the course of my after life.

In the spring of 1803 my mother removed with the family to Boston, that she might be near her grandfather, near whom she took a house, at the North end of Boston. I was sent to the public reading and writing schools, in North School [Bennet] Street. The former was kept by Mr. Ezekiel Little, the latter by old Master Tileston. The system of instruction at that time pursued at our public schools was exceedingly imperfect. I received one of the Franklin Medals for reading, I think at the summer visitation of the schools in 1804. About this time, I ceased going to the writing school; and in the part of the day thus left vacant, I began the study

of Latin, reciting at a private hour to Mr. Little. He put me first into Cheever's Accidence, and afterwards into Corderius. On my great-grandfather's death, which happened [at] this season, my mother removed to the southerly part of the town. The expense of a private school was inconvenient, but the public Latin school, under Master Hunt, was in a state of disorganization. I was accordingly placed at a private school, at the lower end of Rowe's lane, kept by Mr. Ezekiel Webster, afterwards a gentleman of great eminence at the bar of New Hampshire. While I attended this school, Mr. E. Webster, for sickness or some other cause, was absent for about a month; and his place was supplied by his brother, Mr. Daniel Webster, who had then just completed his law studies in Boston.

In 1805 the public Latin school was put on a better footing, at first under the Rev. S. C. Thacher and afterwards under Mr. William Biglow. Under these gentlemen I passed about two years at this school. The system of instruction, compared with what it now is, was lamentably defective. I went through at this school about all the books usually studied, preparatory to entering college. At the annual visitation of 1806 I received one of the Franklin Medals; and at a semi-annual visitation next winter I delivered an English oration of my own composition, which, as far as I recollect, was much inferior to similar performances of boys of the same standing, at the present day.

I belonged to a youthful society for declamation, the members of which used to meet at each others' houses. I was among the poorest speakers, and made little or no improvement. Neither did I derive any advantage from the exercises in speaking, which were had once a week at school. I wanted courage to make the first essay at improvement; and as our master did not possess the art of speaking well himself, he could not impart it to others.

At a private school kept by Mr. Biglow from 11 to 1, I made some progress in Arithmetic, of which I was very fond. In company with a school-fellow, I used to devote Thursday and Saturday afternoons (which were half-holidays) to Arithmetic.

In February 1807 I urged my mother to send me to the Academy at Exeter, where my brother was an instructor.

The Academy then (as now) was under the charge of Dr. Abbot, a most respectable man and a very able teacher. As I should there be under my brother's eye my mother consented. I left home alone in the stage for Exeter in February 1807; and as this was my first excursion from home, it seemed to me a great event.

At this excellent school I revised all my former studies, and attended to some new ones. I improved my handwriting and made some progress in speaking. At the exhibition of 1807, when I left the Academy, I spoke a Latin oration of my own composition. I passed but two terms, of three months each, at Exeter, but derived great advantage from the time spent there.

Thus was completed my school education, which, with little exception, I received from the public free schools of my native town of Dorchester and of Boston.

I entered the freshman class at Cambridge in August 1807, being a few months over thirteen years of age, the youngest in my class. I was, however, protected by my boyhood from some of the temptations which assail young men at college. The system then pursued at Cambridge was vastly inferior, to that now existing; and did not furnish full employment to boys well fitted. Besides the studies enjoined, I attended to the study of French for one quarter, under M. Faucon. This study I resumed at intervals afterwards, and learned to read the language tolerably well, but not to speak a word. No instruction was then given in any other modern language, at Cambridge. At the present day, besides French, German, Italian, and Spanish are thoroughly taught.

In my sophomore year, besides attending to the required studies, I read a good deal of the standard English literature. I read Rollin's Ancient History, the two historical works of Roscoe, Robertson's Charles V., Boswell's Johnson, most of Goldsmith's miscellaneous works, and all the novels I could get hold of. At the close of the sophomore year, I received, with my classmate John C. Gray, an appointment to a Latin dialogue, at the autumnal exhibition. We translated a scene from Dr. Johnson's Irene.

In the junior year, as also in the senior, I lived with John C. Gray as a room-mate. I continued my miscellaneous reading as before. In the winter vacation, I kept a school for ten

weeks in the country [at East Bridgewater]. Nearly half my scholars of both sexes were older than myself; and though I met with no particular difficulty, it was hard work, and I was heartily glad when it was over. In the summer of this year, seven or eight of my class, of whom I was one, set up a little semi-monthly magazine, which reached the eighteenth number [the Harvard Lyceum]. I wrote a good deal in it; but it was, as might be expected, a boyish affair. At the close of my junior year I was appointed to the English oration at the autumnal exhibition. In the fall vacation of the same year I made a journey in company with one of my classmates to Philadelphia. We sailed in a packet from Newport to New York, and touched on a rock, at the entrance of Hurlgate, where we lay some hours. From New York to Elizabethtown we went in a steamboat, the first I had ever seen; indeed one of the first built. On our return, we took a packet from New York for Providence, but were obliged to put into New London in a gale. This was my first excursion into the world.

In October of this year, 1810, Dr. Kirkland became President of the college. He had ever been the friend of the family, and treated me at all times with a kindness and rendered me services which have laid me under the strongest obligations. In August 1811 I was graduated, and delivered the valedictory English Oration of my class.

At this period the reputation of the Rev. Mr. Buckminster was at its height. Our family in Boston attended his church. He took a great deal of kind notice of me, and I visited him by appointment, once a week. He encouraged me to the choice of his profession; which, under this influence, I was led to adopt. I boarded in the house of President Kirkland, at Cambridge, as a resident graduate; and besides pursuing my regular studies, I acquired a reading knowledge of German, without an instructor.

In August 1812, after I had been out of college a year, I was appointed Latin tutor. As the officers' apartments in the college were full, I continued to live in the President's house. My instructions were confined to the freshman class, and I met with no difficulties in the discharge of my duties.

In the autumn of 1813, being then less than nineteen and a half years old, I entered on my profession, and was pretty soon invited to the church in Brattle Street, where I suc-

ceeded my lamented friend Mr. Buckminster. My duties were arduous beyond my years, strength or experience. I increased their burden by undertaking a reply to Mr. English's work against the evidences of Christianity. My performance was hastily prepared, but Mr. English, at the time, attempted no answer to it. After his return from Egypt, he circulated what he called a Reply in Manuscript. He showed it to a friend of mine, who proposed to him to communicate it to me. Mr. English expressed an apprehension, that, if I got it into my hands, I should destroy it. My friend put him at ease on this point, and I read it. It did not appear to me to need any rejoinder. He called it the "Five Pebbles," thereby making himself the David and me the Goliah of the contest. This seemed to me not ingenuous. He was much my senior in years, and preceded me four years in college; he wrote his book at his leisure, and after a much longer course of professional study than mine. His work in reply was privately published, as I have understood, at the expense of one of the associates of Mr. Owen.

In the fall of 1814 I went with my friend Mr. Thacher on a little journey to the banks of the Kennebec, in the then district of Maine. I was delighted with the aspect of this part of the country. Later in the same year, my health suffering from confinement, I went to Washington. I carried letters of introduction to Mr. Jefferson, but I did not proceed as far as Monticello. I made the acquaintance of Mr. Madison, who treated me with great kindness.

Shortly after my return from Washington, I was invited by the Corporation and Overseers of the University to the place of [Eliot] Professor of Greek Literature. Finding my health suffering from the duties of my profession, and receiving, with the invitation to Cambridge, permission to pass two years in Europe, I accepted the offer, asked and received a dismission from my church, and was immediately introduced into the new office, being then somewhat under twenty-one years of age.

I embarked for Europe on the 16th of April 1815, on the second ship that sailed from Boston after the conclusion of the treaty of peace. We arrived at Liverpool about the 12th of May, and learned, on our arrival, the escape of Napoleon from Elba. I proceeded to London and staid there some weeks. During this period, I made the acquaintance of sev-

eral distinguished persons, among others of Lord Byron. While I was in London the battle of Waterloo was fought.

From London I went to Holland by the way of Harwich and Helvoetsluys; and after a few days passed at Rotterdam, Amsterdam, Leyden and the other Dutch cities, I proceeded towards Germany. I was accompanied by Mr. G. Ticknor (who intended, with me, to pass some time at a German University) and by a youth of eleven or twelve years of age (the son of a friend), who was to be placed at school in Europe, under my guardianship.

We took the route of Utrecht, Arnheim, Munster, Paderborn, and Cassel to Göttingen: which was at that time the seat of the most famous University in Germany, where I determined to fix myself. After a few weeks devoted to the study of the German language, I began to attend several courses of lectures.

My leave of absence for two years, originally granted chiefly with a view to travelling for my health, was now extended to four. Of this I passed more than two years at Göttingen in assiduous application to study. I usually passed from fourteen to sixteen hours every day, in attendance in the lecture room or preparation for it.

In the course of my residence in Germany, I made an excursion to Weimar, Leipzig, Dresden, Berlin, and the other towns on the route; and saw most of the distinguished men, then living in this part of Germany, among them the poet Goethe. I also made an excursion to Holland, to visit my brother, then living at the Hague, as Secretary of Legation. I went by the way of Hanover, Minden, and Deventer, and returned by the way of the Rhine and Frankfort. On this excursion I was accompanied by a fellow student, Mr. George Glarakis, a Greek from the island of Scio. His father was one of the victims of Turkish barbarity in that island in 1821: and he himself, at a later period, became Secretary of the Provisional Greek government. Just before leaving Göttingen, I made a journey on foot through the Harz mountains.

In the fall of 1817 I went to Paris, where I passed the winter. I enjoyed a great advantage in the pursuit of my studies, in a free access to the King's library. As I was to visit Greece and Italy, before my return to America, I devoted some time to the Italian and Modern Greek languages. My master in

Italian was a descendant of an Albanian family, who took refuge in Naples, in the time of Scanderbeg; and my teacher in Modern Greek was a student of medicine from Constantinople. I enjoyed the friendship of Koray, whose writings have had great effect in bringing about the revolution in Greece. My acquaintance and intercourse were principally with men of letters. Among others I became acquainted with Visconti, W. von Humboldt, the Abbe de Pradt and Benj. Constant. I also saw Gen. Lafayette occasionally.

In the spring of 1818 I went over to England. After passing a few weeks in London, I staid some time at Cambridge and Oxford; visited Wales and the Lakes, and then made a short excursion to Edinburgh and the highlands of Scotland. I passed a few days at the house of Sir Walter Scott at Abbotsford, and visited Dugald Stewart; and while I was in Great Britain, I saw most of the distinguished men of letters, poets and statesmen. I had an Italian servant, while travelling in England, who is now established as an innkeeper, on the bank of the Lago Maggiore, on the way to Milan, and almost every year sends me a message by some American traveller.

In the fall of 1818 I returned to France by the way of Southampton, Havre, and Rouen; and immediately commenced a journey to Switzerland and Italy, in company with Mr. Theodore Lyman, jr. We took the road to Lyons; passed a few days at Geneva; visited Chamouni and the glaciers of Mont Blanc; made a very interesting circuit through Switzerland by the way of Lausanne, Bern, Lucerne, Schwyz, Altdorf and the Valais, and crossed the Simplon to Milan, passing through Lombardy to Venice, and thence backward over the Apennines to Florence. We staid two or three weeks at this place and thence proceeded to Rome. I passed the winter months at Rome, occupied in the study of Roman antiquities. Almost every day, I went to the library of the Vatican. In the course of the winter, I made the acquaintance of the members of the Bonaparte family resident at Rome, and visited the mother of Napoleon, the princess Borghese his sister, Louis the ex-king of Holland, and Lucien; the latter frequently.

In February 1819 we went to Naples and while there made an excursion to Pæstum. After passing three weeks at Naples, and visiting the neighborhood on both sides — Baiæ, Vesuvius, Pompeii, and Herculaneum, — we started for Greece, and took the

route for Bari, a seaport on the Adriatic a little south of the gulf of Manfredonia, expecting to find a vessel there for Corfu. In this we were disappointed; and being advised to go down to Otranto we traversed the North-Eastern part of the kingdom of Naples, through Lecce and Taranto to Otranto. There were at this time no carriage roads, nor public conveyances in this part of Naples, and it was much infested with brigands. We travelled on horseback from Bari to Otranto. At Lecce we found the English general Church sent into the province, with an army, to exterminate the robbers, in which he was very successful. He has been since a generalissimo in the Grecian army.

We took passage in a small vessel from Otranto to Corfu, one of the seven Ionian islands, where we were hospitably received by Sir Thomas Maitland, the British Lord High Commissioner. From Corfu we passed over in a row boat to the coast of Albania; and proceeded to Yanina, its capital, where we were received with great kindness by Ali Pacha, to whom I had a letter from Lord Byron and another from Dr. Holland, who both appeared to stand high in Ali's regard. From Yanina we crossed Mount Pindus, and visited Veli Pacha, (the second son of Ali) Pacha of Thessaly, whom we found at his residence at Turnavo. We were introduced to him by letter from his older brother, Muctar Pacha, governor of the city of Yanina. Having gone as far as the vale of Tempe to the North, we turned on our steps; crossed Thessaly to Thermopylæ, (passing by Pharsalia) and took the road over Mount Parnassus to Delphi, Thebes, and Athens. From Athens, we made an excursion over the Isthmus of Corinth to Sparta, and returned by the way of Parnassus to the north of Greece, where we embarked in the Gulf of Volo, for the Dardanelles. After visiting Troy, we proceeded to Constantinople. We passed through this interesting country about ten months before open war was declared by the Porte against Ali Pacha; — which war brought on the Greek revolution.

We staid about three weeks at Constantinople, in the month of June 1819. Under the guidance of Sir R. Liston, the English ambassador, we had an opportunity of seeing the imperial mosques (among them St. Sophia's) and the other objects of interest in the city and its neighborhood. We saw the present Sultan, then thirty-eight years old, on the way to the

mosque on Friday, the only occasion on which he can be seen by foreigners, not officially presented to him.

We took our departure from Constantinople by land, towards the end of June; traversed Thrace; passed through Adrianople; crossed the Balkan mountains, a few miles westward of the road taken by the Russian army, in the late invasion; passed the Danube at Nicopol, and thus through Wallachia to Bucharest. After a few days spent at Bucharest, we took the road to the Turkish frontier; and entered the Austrian dominions, at the pass of Rothenturn. Here we had to pass a week's quarantine, in a secluded vale of the Aluta, at the foot of a branch of the Carpathian mountains. After we were liberated, we proceeded to Hermanstadt, the capital of Transylvania, and thence through the Bannat of Temeswar, across Hungary, to Vienna. We passed a short time at this beautiful metropolis of the Austrian empire; and thence proceeded through Austria, the Tyrol, and Bavaria to Paris. From Paris, we passed over to London, and in the beginning of September 1819 took passage for America. I arrived at New York on the 7th of October 1819, after an absence of nearly four years and seven months.

Immediately on my return, I was urged from many quarters to preach. I did so first at my former church. Finding these calls to multiply greatly, and deeming it not strictly proper, while engaged in other pursuits, to continue those of my former profession, I determined at length to retire from it altogether. I preached for the last time in the summer of 1822.

Shortly after my arrival in Boston, in the autumn of 1819, I was requested by the proprietors of the North American Review, a company of gentlemen five in number, to assume the editorship of that journal. The work had for some time been conducted with great ability, but was nevertheless in a languid state. The subscription list was under six hundred, and it was not increasing. It was published six times a year. I changed it to a quarterly journal, and commenced a new series. I received very efficient aid from the former contributors and from many new ones. The circulation rapidly increased; and the subscription list swelled so fast, that it became necessary to print the second and third editions of several of the numbers. I edited this journal till the end of 1823, when it passed into

the hands of Mr. Sparks. I have, however, continued ever since to contribute to its pages.

Shortly after my return to America, I took up my abode at Cambridge and entered on the discharge of my duties, as professor of Greek literature. In the course of 1820 and the succeeding years, I delivered several courses of lectures and prepared a Greek grammar and Greek classbook. I delivered two courses of lectures on Antiquities in Boston in the winters of 1822 and 1823.

In the summer of 1821 I made a journey to Niagara, Montreal, and Quebec. In the course of 1822 I received from Koray at Paris the address of the Messenian Senate of Calamata to the people of the United States, invoking their sympathy in the Revolution. It excited little or no sensation at the time. In October 1823 I wrote an article on the Greek Revolution in the N. A. Review. A very considerable interest in the subject appeared not long after; and the following winter Mr. Webster made his admirable appeal on behalf of the Greeks to Congress.

[A question having arisen at this time as to the claim of the resident instructors of Harvard College to be represented on the Corporation, it was argued before the General Court, to which Mr. Everett presented the side of himself and his colleagues, gaining considerable credit, although unsuccessful in his plea.]

I was appointed the following summer (1824) to deliver an oration before the Phi Beta Kappa Society at their anniversary. The attendance of General Lafayette gave great eclat to the occasion. About the same time, the representative of Middlesex district in Congress declined a re-election, and I was nominated to succeed him, by a volunteer convention, principally of the young men, and in opposition to the regularly nominated candidate. This call was wholly unexpected to me. I addressed a letter to the President of the University enquiring of him, whether my holding a seat in Congress would be deemed inconsistent with my relation to the University. He thought it would not; Mr. Adams had been a Senator of the United States while holding the office of a professor.

I was elected by a pretty large majority on the 1st Monday of November 1824. A few months afterwards the Corporation deemed my professorship vacated, in consequence of my accepting a seat in Congress, such being the provisions of an old

law of the College, with the existence of which I had no acquaintance, as it was not contained in the edition then current. A separation from the College was not contemplated by me, when I accepted a nomination to Congress, but it took place amicably; I paid to the College treasurer the sum of five thousand dollars, the balance of funds advanced me in Europe, partly as a gift and partly as a loan, and afterward all converted into a gift; and very shortly afterwards, I was elected a member of the board of Overseers.

In December 1824 I delivered an oration at Plymouth commemorating the landing of the Pilgrims. On the 19th of April 1825 I delivered an address at Concord, on the fiftieth anniversary of the commencement of the Revolution. In the month of June 1825 I attended as a member of the board of visitors the examination of the United States Military Academy at West Point. I was requested by the board to act as their Secretary, and to deliver an address to the Cadets at the close of the examination.

In December 1825 I went to Washington as a member of the nineteenth Congress. I served upon the Committee of Foreign Affairs, and that of the Library and Public Buildings. I drew the report of the Committee, on the subject of the Panama mission; Mr. Forsyth, the chairman of the Committee, being opposed to the measure. I also made reports to the house, on the subject of our claims for spoliations on foreign powers. On this subject I wrote in this and the preceding years several articles in the N. A. Review, which have been since collected into a larger pamphlet.

In the summer of 1826 I delivered an oration at Cambridge on the 4th of July, and very soon afterwards an address at Charlestown on the death of Adams and Jefferson. In June 1826 I took up my residence at Winter Hill in Charlestown. In the fall I was re-elected to Congress.

At the second session of the nineteenth Congress (1826–1827) I served on the same Committees as before, and was chairman of the select Committee on the affairs of the Indians in Georgia. In the spring of this year, I wrote a series of letters addressed to Mr. Canning, on the subject of the Colonial trade, which were extensively republished. In the fall of the year I delivered the address at the opening of the Mechanics' Institute, in Boston.

At the first session of the twentieth Congress (1827–1828) the friends of General Jackson were in the majority. Mr. Stevenson was chosen by them speaker. I was placed by him at the head of the Committee of Foreign Affairs as a political friend of the Secretary of State. I served as formerly on the Committees of the Library and Public Buildings. I drew all the reports made from these three Committees. At this session of Congress, the famous Retrenchment debate arose. Mr. Sergeant and myself were the minority of the Retrenchment Committee. Mr. S. was confined to his room several weeks, and I acted alone on that Committee. The report of the minority was the joint production of Mr. Sergeant and myself. That portion which related to the departments of State, War, and the Indians was prepared by me. In the summer of this year, I delivered an oration at Charlestown on the 4th of July, and an address on the erection of a monument to Harvard. This work was undertaken at my suggestion. I was re-elected to Congress in the fall of the year.

At the second session of the twentieth Congress (1828–1829), I served on the same committees as before; and on a committee in favor of the heirs of Fulton, of which Gen. Van Rensselaer was chairman. At his request, I drew the report. On the 4th of March this year, Gen. Jackson was inaugurated as President. During the four years of Mr. Adams's administration, I was on a very confidential footing with him, and possessed the friendship of all his Cabinet; but I never asked a favor for myself, for any relative, or any family friend.

At the close of the session, after taking my family home, I made a very agreeable journey to the West and South. I took the route of Philadelphia and Pittsburgh, and down the Ohio and Mississippi to New Orleans. Returning, I came up the Mississippi river, as far as the Cumberland, which I ascended to Eddyville. Thence by land to Nashville, Louisville, Lexington, Cincinnati, and Dayton, and thence due East to Baltimore. I was treated with great kindness, wherever I went, and formed a highly favorable opinion both of the present state and the prospects of that part of the country.

In the fall of this year (1829) I delivered three lectures on Architecture, before the Mechanics' Association, and the opening address before the Middlesex County Lyceum, of which institution I was elected President.

At the first session of the twenty-first Congress (1829–1830) I served on my former Committees; but was removed from the head of the Foreign Affairs, on the ground that the chairman of that Committee ought to be a political friend of the Secretary of State. I served this winter on the select Committee in favor of the Colonization Society, having been placed upon it at the request of its chairman, Gen. Mercer. Early this session, I delivered an address before the Columbian Institute, in the hall of the House of Representatives.

On the 28th of June I delivered an address, before the Charlestown Lyceum, on the landing of Gov. Winthrop, and on the 5th of July an oration at Lowell. A few weeks ago I drafted an address on behalf of the Directors of the Bunker Hill Monument Association. Of this association I was one of the original members. I served two or three years as Secretary and devoted much time and labor to its objects.

While in Europe on the visit to Weimar, my fellow traveller and myself received the compliment of a diploma of membership of the Geological Society of that place. I received the degree of Doctor of Philosophy, on leaving Göttingen. I was elected, while abroad, a member of the American Antiquarian Society; and shortly after my return, a member of the American Academy of Arts and Sciences, and the Historical Society.[1] In 1824 I was elected a member of the Columbian Institute. A few years ago the Geographical Society at Paris chose me a corresponding member. Last year I was elected an honorary member of the Massachusetts Charitable Mechanics' Association. This year I have been elected a member of the French Society of Universal Statistics, and of the Historical Society of Michigan.

Besides the addresses enumerated above, there are in print several speeches made by me on different occasions, among others on the Amendment of the Constitution; on the Revolutionary Officers and Soldiers; on Retrenchment; on the Indian Question; on Manufactures.

I married in 1822, and have four children, all of whom are blessed with health.

Such are the principal incidents of my life, verifying the remark with which I started, that they are important to no

[1] Mr. Everett was elected a member of the Historical Society at the Annual Meeting, April 27, 1820.

one but myself. I have had a mixture of prosperity and adversity, of enjoyment and trial. My personal affairs have been prosperous, but I have suffered from the embarrassments of others. I have had many friends and some enemies. To no one of my enemies did I ever knowingly do an injury, with or without provocation. I have received commendation and abuse, both beyond my desert: — to the latter I have never replied. I have all my life been a hard-working man; and to this, and a temper naturally cheerful, and a good conscience, I am indebted for the share of prosperity and happiness, under Providence, which I have enjoyed.

Charlestown, 28th Sept., 1830.

[To connect this fragment of autobiography with a later one, a page is here inserted from a notice of Mr. Everett, prepared by his friend, Joseph E Sprague, and inserted in the "New England Magazine," vol. v. pp. 185–197.

At the next session of Congress, on presenting some petitions, he gave a complete review of the points in which the rights of the Indians had been invaded by Georgia.

In the spring of 1831, he delivered a lecture before the Salem Lyceum on the subject of Reform, then agitated in England. This was afterwards enlarged, and published, in the form of a review, in the North American Review. It attracted great attention here, and passed rapidly through three editions in London; it was cited (as a text) by both parties in Parliament; and few, if any, articles from a foreign source, ever attracted so much attention. The next year, he further treated on this subject in the same Review. The past and passing events in England have stamped his views on this subject as prophetic, sound in principle, and profoundly imbued with a knowledge of the subject.

Mr. Everett had for several years been President of the Phi Beta Kappa Society. The mysterious name, oaths, and injunctions of secrecy, hieroglyphical characters, grips, medals, and ribbons, appeared to him so exceedingly useless, that, at his instance, a special meeting was called, at which the secret character of the society was changed, and the door of mystery unclosed.

In October, 1831, he delivered the annual address before the American Institute at New York. In this address he proved

that the great inducement to the adoption of our Constitution was the prospect it held out of protection to manufactures.

At the first session of the twenty-first Congress, he prepared the minority report on the apportionment bill, in which he sustained Mr. Webster's amendment. This he also advocated in a speech delivered on the passage of that bill. At the same session, he made a most elaborate speech on the tariff, in which he demonstrated, from a laborious examination of the results of the census, that the Southern States were not injured by the tariff, and in which he showed the absurdity of the doctrine that the producer and not the consumer pays the duty.

He also prepared the address of the National Republican Convention, which met at Worcester in October last. And in his speech before his townsmen in Charlestown, at the subsequent election in November, he stated, that, if, in the impending crisis of the country, President Jackson should plant himself on the bulwarks of the Constitution, he would receive a warmer support from his opponents than from a large class of his friends. This prediction, which has been so signally verified, was expressed by him in still stronger terms, many months previous, in his letters to his friends.]

WATERTOWN, 14 Sept., 1838.

MY DEAR FRIEND, — Our friend Sprague in his biographical sketch brings down his narrative to the summer of 1833.

That season I delivered an oration before the Phi Beta Kappa Society at Yale College, and received from the government of the institution, at the same commencement, the compliment of an LL.D. I delivered a temperance address the same summer at Salem, and the annual discourse before the Agricultural Society at Brighton. This was the season of Gen. Jackson's tour. It devolved upon me, by request of the citizens of Charlestown without distinction of party, to make the address to him on Bunker Hill. His reply was the longest and best of the answers made by him on his journey.

The succeeding session of Congress is commonly known as the panic session. I composed with Gov. Ellsworth of Connecticut the minority of the Committee, which was despatched to Philadelphia to examine the Bank of the United States: and the minority report of the Committee was written by me.

In September 1834 I delivered the eulogy on Lafayette, at the request of the young men of Boston. The following session

was the last of my membership. It was a session made intensely interesting by the critical condition of our relations with France. I made two speeches on that subject, and wrote the minority report of the Committee of Foreign Relations, in which I presented a condensed historical view of the whole controversy. A resolution was passed by the unanimous vote of the house consisting of a sentence detached from the close of that report. I also reported an argument on the old French claims for spoliations prior to 1800, which was printed by order of the House. It contained a sketch of the history of that controversy.

I had in the summer of 1834 announced my wish not to be considered a candidate for re-election to Congress, and to resign my seat for the remainder of the term. I was induced, by the urgent representations of my friends, to withdraw this resignation. The Antimasonic controversy was then at its height, and I was strongly urged to accept the nomination of the Antimasonic party as Governor. This I steadily declined; and some resolutions having passed the Antimasonic convention of Middlesex County in which a wish was plainly intimated that I would become the Antimasonic candidate as Governor, I wrote a long letter to the Committee of the Convention expressly declining, and strongly urging the support of Gov. Davis. I uniformly stated that I should not become a candidate, unless assured of the support of my political friends in general as well as of the Antimasons.

On Gov. Davis's election to the Senate of the U. S. in the winter of 1835, I was nominated as his successor by an Antimasonic Convention and two days after by a Whig Convention. It was perfectly well understood by the former, that I stood on principles on which I could receive the support of the latter. In the course of the summer of 1835, I delivered an oration at Lexington on the sixtieth anniversary of the battle. In this oration, and in that at Worcester on the 4th of July 1833, I brought into greater prominence than had before been given them the events of the war of 1756 as a preparation for the revolution. On the 4th of July 1835 I delivered an oration before the citizens of Beverly without distinction of party, on the early life of Washington. In this discourse, I embodied most of the new matter contained on this subject in Mr. Sparks's edition of the writings of Washington. I deliv-

ered the address before the literary societies of Amherst College at Commencement this summer; and an oration at Bloody Brook, on the anniversary of the fall of "the Flower of Essex," in 1676. I hastened home from the latter place, to attend a meeting at Faneuil Hall, (by request of the committee of arrangements), on the subject of the Western Rail-Road, when I made the closing speech. It is contained in my volume, as well as the others delivered this year.

In Nov. 1835 I was chosen Governor by a majority of about 10,000. The Antimasonic party generally supported me. Its leaders, however, had already determined, if possible, to carry over the party to the support of the national administration, whose candidate for Lieutenant Governor they supported. This state of things created jealousies and embarrassments. I lost the support of some Masonic Whigs and of some Jackson Antimasons.

My object was the same which Mr. Adams announced as his own, in the address to the People, in which he withdrew himself from being one of the three highest candidates before the Legislature: viz. to reunite the Antimasons and Whigs on honorable terms. It was the object of the leaders of the Antimasons to transfer their party to Mr. Van Buren. On this point, early in my administration, we broke, and the aforesaid leaders became my bitterest foes. They became at the same time, (as fast as any regard to appearances would permit), unscrupulous supporters of the administration of the General Government and of Mr. Van Buren.

Of the subjects recommended by me to the attention of the Legislature several received their favorable consideration. They appointed a Board of Commissioners to inquire into the practicability and expediency of reducing the Common Law to a uniform and systematic code. The House of Representatives passed an act abolishing capital punishment in certain cases, which however was lost in the Senate. The Legislature authorized a subscription of one million dollars to the stock of the Western Rail-Road, a measure which I had greatly at heart. They offered a bounty on improved principles on the culture of silk. They made an appropriation for preserving the papers in the public archives, and passed joint resolutions on several subjects in pursuance of the recommendations of the Message.

I made it a principal object of my attention, to serve the militia, and for this purpose attended several of the brigade reviews in the neighborhood and on Connecticut River. I also was present at several military festivals, beginning with the Ancient and Honorable Artillery, in June. On these various occasions, I made addresses on the importance of the militia, particularly for the support of the law in time of peace. I attended the Centennial Celebration at Springfield in May and that at Dedham in September. My ancestor Richard Everett was a grantee of both towns. I made a visit to New Bedford and Nantucket: at the former place there was a meeting on the subject of the Bunker Hill Monument, at which I made a speech. I was present at the exhibition of the Essex County Agricultural Society at Danvers and by desire of the Committee made a short address. The most interesting public occasion this year was the Centennial Celebration at Cambridge, at which, on a very short notice, I presided. I made several speeches this season, in addition to those here mentioned at military and other festivals.

The Antimasonic party in Massachusetts, though ostensibly kept up by the Van Buren leaders in that party, was in reality dissolved. The votes were divided between the two political parties, and I was in consequence re-elected by a majority diminished by three or four thousand votes.

At the ensuing session a definite Commission was appointed to reduce the criminal law to a code; a Board of Education established; a revised Geological Survey ordered, and other measures proposed by me instituted or carried on; among them may be mentioned the erection of a chapel at the State Lunatic Asylum at Worcester. It was my wish that a considerable portion of the surplus revenue [received from the National Treasury] should be devoted to Education, but on this subject other views prevailed. At the close of this session I negatived a resolution by which the two houses raised their own compensation. It passed by acclamation without my signature; but I was fully sustained by the people. [This was the solitary exercise of the veto power by Mr. Everett while Governor.]

The National Lancers, a fine troop of horse, was raised this summer. The first suggestion of this company was made by me, and on their appearance at Commencement this year, agreeably to an intimation made when I first advised the raising of the company, I presented them a standard.

In the course of the summer I attended the usual round of military and festive occasions. I attended the Commencement at Williams College, and delivered an address by invitation of the literary Societies there. I also delivered an address at the Mechanics fair.

These two addresses were repeated by me in several places as introductory lectures to Lyceums. I also wrote and delivered an introductory lecture before the Society for the Diffusion of Useful Knowledge on the History and Composition of the English Language, and before the Historical Society on the Discovery of America by the Northmen.

In the course of the autumn we had visits from the Sacs and Foxes and other tribes of Indians. We gave the first deputation under Keokuk (of which the famous Black-Hawk was a member) a public reception.

I was re-elected by a majority of 17 or 18,000 — the largest majority ever given in Massachusetts at a contested election. The principal business of the session was the discussion of the Bank question. The measure of appointing Bank Commissioners proposed by me was adopted. One of the first measures adopted by the Legislature was to reduce the rate of compensation of the members of the two Houses to its former amount.

Nothing of importance to be noted has occurred to me this summer, during which I have been rusticating at Watertown. I attended the School Convention of Dukes County at Martha's Vineyard and the Abbot festival at Exeter. I delivered the address at the eighteenth anniversary of the Mercantile Library Association last evening, and am to attend the School Convention at Taunton on the 10th of October.

In my official capacity, I have endeavored to promote reform in the law: — to encourage internal improvement and the development of the physical energies of the State: — to elevate the standard and advance the cause of Education: — to revive the militia: and arrest the progress of disorder in the archives and place them in a condition to be easily consulted: and to contribute to the unfolding of the natural wealth of the Commonwealth and its agricultural resources. Laws and resolves relative to all these interests have passed, more or less under the influence I have been able in various ways to exert; though I have at all times been willing to keep my own agency

out of view; and, of course, have no claim but that of joint action with liberal and patriotic members of the Legislature.

It has, at the same time, been my study to assume as little as possible the outward circumstance and display of office, and to pass undistinguished as a citizen, wherever it was possible with propriety to do so.

I have endeavored, both in my present and former official station, not to let political life entirely draw me away from literary pursuits. Of my literary efforts since I came into Congress I am well aware too little cannot well be said, but I have given to them all the time I could possibly spare. I will in a day or two send you a memorandum of my articles in the North American Review written in this period.

The above with all my other communications on this subject is commended to your friendly and confidential eye by

Yours ever affectionately,

E. E.

Mr. Everett terminates his fragment of autobiography in the year 1838. In the following year the international complications of the North-Eastern Boundary led to his addressing a strong appeal to President Van Buren as to the defenceless condition of Boston Harbor, in case of war, followed by a vigorous vote of the Legislature passed at his instance. In the month of September he delivered one of his most successful occasional speeches, at the Cape Cod festival at Barnstable.

In November the forces opposed to his re-election as Governor rallied on the ground of opposition to a licence law passed by the Legislature of 1838, and signed by him as Governor, though with considerable reluctance, restricting the sale of liquor. There was then required for popular election an absolute majority of all the votes. This Hon. Marcus Morton received by one vote in 100,000. In the winter, Mr. Everett delivered a memorial address on John Lowell, jr., the founder of the Lowell Institute, as introductory to the Lowell Lectures.

In June 1840 he sailed in the ship "Iowa" from New York with his family for a protracted residence in Europe, landing at Havre. After some short stay in Paris they departed through Fontainebleau, Chalons, and Lyons to Avignon, where they were detained by the sickness of one member, but forced to leave the city in about a fortnight in a boat, the floods of

the Durance having filled the streets and the courtyard of their hotel. Passing down the Rhone to Marseilles, they went by steamer to Leghorn, and through Pisa to Florence, where they passed the ensuing winter and summer, the latter at the Villa Careggi, the actual house where Lorenzo de' Medici died in 1492. Mr. Everett found his stay in Florence eminently congenial. He made several agreeable acquaintances, and received special kindness from the Grand Duke Leopold, under whose auspices an assembly of Italian Scienziati was gathered this year. A most admirable bust of him was executed by Hiram Powers, whom Mr. Everett always held to be the first of American sculptors.

Mr. Webster having come to the office of Secretary of State in 1841, Mr. Everett received a commission as Envoy Extraordinary and Minister Plenipotentiary to London. It was feared this nomination might fail of confirmation in the Senate, certain Southern Senators having expressed their opposition to Mr. Everett as an "abolitionist," owing to some opinions he had expressed as Governor, particularly one relating to the right of Congress to abolish slavery in the District of Columbia. It was however confirmed by a handsome vote, Messrs. Henry Clay and Rufus Choate being especially conspicuous in its support.

On receiving news of his appointment, Mr. Everett made hasty visits to Naples and Rome, and returning rapidly through France, arrived in London in December 1841. Sir Robert Peel's government had just come into power, which the conservatives retained throughout Mr. Everett's mission. His relations with all its members were extremely friendly, especially with the Earl of Aberdeen, the Foreign Secretary, in whose wisdom and good will Mr. Everett had the utmost confidence. The serious questions then agitated between the two countries on the right of search, the North-Eastern and North-Western Boundaries, the seizure of the "Creole," and many others, demanded the utmost tact on the part of our minister, and Mr. Everett had the satisfaction of maintaining the most friendly relations with the English government. That government having determined to settle the North-Eastern Boundary and some other questions by their special envoy Lord Ashburton, Mr. Everett was not without hopes that the North-Western would be entrusted to himself; but the peculiar

position of Mr. Webster in Mr. Tyler's cabinet made this perhaps impossible. When it was decided to send a commission to China, Mr. Everett was offered the position, it being generally supposed that Mr. Webster was desirous of going as Minister to England; but the Chinese appointment was declined. A reply made by him to a representation of Englishmen who had suffered from the repudiation of Pennsylvania and other States was received with great satisfaction, as also were certain addresses delivered in the early part of his mission; but invidious comments at home, and the very unsettled state of our politics, led to his ceasing to speak on public occasions or even to attend them. He received the degrees of LL.D. from Dublin and Cambridge Universities, and of D.C.L. from Oxford University. On the latter occasion an absurd protest was made by Dr. Sewell and other Tractarian clergymen, on the ground that Mr. Everett had been a Unitarian minister. This was making vastly more account of his denominational connections than he ever made himself. His private associations with various distinguished men and women in England were a source of great satisfaction; among these may be especially named the Dukes of Wellington and Northumberland, Lord Brougham, Rt. Hon. J. E. Denison, and Rev. William Whewell.

President Polk being elected in 1844, Mr. Everett was recalled in the summer of 1845, and returned to Boston in September. He was almost immediately offered the Presidency of Harvard College, vacant by the resignation of Hon. Josiah Quincy. He accepted the post with great misgiving, and against the advice of some of his oldest and closest friends. The result proved that they were right. The place was one of almost unmitigated drudgery and anxiety, opposition to his most cherished views rising up in quarters where he had been led to expect cordial co-operation, and the details of office work leaving no time for the literary and social influence he had been expected to exert. Several important events in the history of the College occurred during his short term of service; the establishment of the Lawrence Scientific School; the reception of the great Fraunhofer Equatorial; the introduction to college work of the matured enthusiasm of Agassiz and the youthful genius of Child; and unquestionably the whole tone of discipline and scholarship was raised. But three

years of confinement and disappointment told very seriously on Mr. Everett's body and spirits, and he was forced to resign his position in February 1849.

He remained in comparatively private life till late in 1852, appearing in public on a few occasions, notably the seventy-fifth year celebration of the battle of Bunker Hill, when he addressed an immense audience in one of the ship houses at the Charlestown Navy Yard. In October 1852 the lamented death of Mr. Daniel Webster called him to Washington as Secretary of State in Mr. Fillmore's Cabinet. In this office he greatly signalized himself by a letter addressed to Lord John Russell on the subject of the acquisition of Cuba. A somewhat flippant and supercilious answer from the Englishman drew out a still more trenchant reply from Mr. Everett, after his cabinet service was ended. In February 1853 he was elected by the Legislature of Massachusetts to the Senate of the United States, to succeed the Hon. John Davis. During his first year of service the act to organize the territories of Nebraska and Kansas and repeal the Missouri Compromise was introduced into the Senate. Mr. Everett argued strongly against it both in the Committee on Territories and on the floor of the Senate; but through a misinformation as to the time of taking the vote, he was absent, and his vote was refused a record the next day, though the result would have been unchanged.

His health had again suffered very seriously by this return to political life, and his family earnestly needing his presence in Boston, he resigned his seat after about one year's service. For several months he rarely addressed his fellow citizens; but on the Fourth of July 1855 he spoke in his native town of Dorchester with a vigor and spirit beyond what he had achieved for many years.

Finding his earlier energies thus completely restored, he resumed the practice of public speaking, and delivered in the next five years many notable addresses, of which his favorite was that on Astronomy at the Dedication of the Dudley Observatory at Albany in 1857. In February 1856 he delivered an address on the Character of Washington, at the request of the Mercantile Library Association of Boston. He made arrangements for its repetition in various cities, when, Miss Cunningham's plan for the purchase of Mount Vernon being started, Mr. Everett determined to devote any further pro-

ceeds of his Washington address to that object, and he delivered it more than one hundred and twenty times, in all sections of the Union, adding more than $60,000 to the fund. He also received a check for $10,000 from Robert Bonner, the proprietor of the "New York Ledger," for a weekly article throughout the year, the money to be given to the Mount Vernon Fund.

In all these later years Mr. Everett had been deeply anxious as to the state of the country. He had voted the Whig ticket as long as the Whig party existed. In 1856 he refused to follow many of his old Whig friends into either the new Republican or the old Democratic parties, and voted for Mr. Fillmore. In 1860 he accepted with extreme reluctance a place on the Constitutional Union ticket as nominee for Vice-President, with Hon. John Bell for President. This ticket carried the States of Virginia, Kentucky, and Tennessee, and would probably have carried other Southern States but for the stories of Mr. Everett's "abolitionism," promulgated at the very time when he was attacked at the North for lukewarmness on the subject of slavery.

When the storm of secession broke out, Mr. Everett exercised his utmost efforts to restore and preserve the Union. He was a member of the Peace Committee which met at Washington in the winter of 1860–1861. But when Fort Sumter was fired on he immediately threw himself heart and soul into the cause of the war for the Union. His exertions during the next four years in rallying the people of the North to the national cause were unremitting and very various. An address delivered by him in the Academy of Music at New York on the Fourth of July 1861, is prefixed as an introduction to Frank Moore's Rebellion Record. An address on the Causes and Conduct of the War was delivered by him in all the principal cities of the North to large audiences. He also gave the main address at the Dedication of the Gettysburg Cemetery, when Mr. Lincoln made his memorable speech. But perhaps his most remarkable service was the raising by his own personal appeals of a fund of $100,000 in Boston and the neighborhood for the sufferers in East Tennessee.

Some time before the war he had bought a beautiful estate in Winchester, Mass., on the northwest border of Mystic Pond, where he built a house for his eldest son, with an idea of erecting another for himself. But very soon after his pur-

chase the city of Charlestown applied to the Legislature for permission to convert the upper Mystic Lake into a reservoir, and overflow a large part of Mr. Everett's estate. He resisted the measure before the committee of the Legislature, as an improper and useless scheme, which subsequent events have proved to be a perfectly correct view. He also conducted his own case for damages before a board of referees, a work adding greatly to the care and distress of his later years.

During the war Mr. Everett had kept entirely out of party politics, supporting the government of Mr. Lincoln on grounds of non-partisan patriotism. He was offered and declined in 1862 a Republican nomination to Congress. In 1864 he consented to be nominated as Elector at Large on the Lincoln and Johnson ticket, and presided at the meeting of the Electoral College in the beginning of 1865. Very soon after, the news of the distress of the captured city of Savannah called him out to a meeting in Faneuil Hall, to inaugurate measures for its relief. On that same day, though under a severe chill, he had made the final argument before the arbiters of his estate.

On his return home he retired to bed with a very heavy cold on Monday, 9 January. In the course of the week he appeared to be recovering, and on the night of Saturday the 14th was sleeping peacefully. In the early morning he appears to have risen from his bed, was struck with apoplexy, and died at 4.30 A.M. Sunday, 15 January 1865. His death was received with universal and acute expressions of regret throughout the Union. He is buried at Mount Auburn.

Mr. Everett was married, 8 May, 1822, to Charlotte Gray, daughter of Hon. Peter Chardon Brooks. She was born 4 November, 1800, and died 2 July, 1859. They had seven children, of whom four outlived youth, and three were living at Mr. Everett's decease: Charlotte Brooks, born 13 August, 1825, died in Washington, D. C., 12 October, 1879, the widow of Commodore Henry A. Wise, U. S. N., chief of the Navy Ordnance Bureau; Edward Brooks Everett, M.D., 6 May, 1830–9 November, 1861 (H. C. 1850); Henry Sidney Everett, 31 December, 1834–4 October, 1898 (H. C. 1855), in the diplomatic service of the United States; and William, 10 October, 1839 (H. C. 1859). Of these the three elder ones were married and have left children.

JANUARY MEETING, 1904.

THE stated meeting was held on Thursday, the 14th instant, at three o'clock, P. M; the President in the chair.

After the reading of the record of the last meeting and of the list of donors to the Library, the PRESIDENT stated that in pursuance of the vote passed at the December meeting of the Society a Memorial had been drawn up and presented to Congress, asking that the necessary measures be taken for preserving the frigate Constitution, which is in a dangerous condition of decay. The Memorial is as follows: —

To the Senate and House of Representatives of the United States: —

Your Memorialists, the Council of the MASSACHUSETTS HISTORICAL SOCIETY, acting under its instructions, would respectfully call the attention of your Honorable Bodies to certain facts connected with the United States frigate Constitution: —

That vessel is now lying at Charlestown, Massachusetts, in a dock also used by the steamships of the so-called White Star Line; she is dismantled, out of repair, and liable at any time to injury from carelessness or accident, if not to destruction. Your Memorialists further represent that in the American mind an historical interest attaches to the Constitution such as attaches to no other ship in maritime annals, except possibly the Santa Maria, the flag-ship of Columbus, and the Mayflower, both of which disappeared centuries ago. The Constitution still remains; and it was the Constitution which, in the gloomiest hour of the War of 1812–14, appeared "like a bright gleam in the darkness." On the 16th of August of that year, Detroit, with all its garrisons, munitions, and defences, was surrendered to the British forces; on the same day Fort Dearborn, at what is now Chicago, was in flames, and with it "the last vestige of American authority on the Western lakes disappeared." The discouragement was universal and the sense of national humiliation extreme; for it seemed doubtful if even the interior line of the Wabash could be successfully held against an enemy flushed with success. The prophet of yet other disasters immediately impending was abroad, and, according to his wont, further depressed the already

disheartened land. It was in this hour of deepest gloom, that, on the morning of Sunday, August 30, the Sabbath silence of Boston was broken and the town stirred to unwonted excitement "as the news passed through the quiet streets that the 'Constitution' was below, in the outer harbor, with Dacres," of the Guerrière, "and his crew prisoners on board." Thus it so chanced that the journal which, the next morning, informed Bostonians of the Detroit humiliation, in another column of the same issue announced that naval action which "however small the affair might appear on the general scale of the world's battles, raised the United States in one half hour to the rank of a first-class power in the world." The jealousy of the navy which had until then characterized the more recent national policy vanished forever "in the flash of Hull's first broadside." The victory, moreover, was most dramatic — a naval duel. The adversaries — not only commanders but ship's companies to a man — had sought each other out for a test of seamanship, discipline, and gunnery — arrogance and the confidence of prestige on the one side, a passionate sense of wrong on the other. They met in mid-Atlantic, — frigate to frigate. It was on the afternoon of August 19, the wind blowing fresh, the sea running high. For about an hour the two ships manœuvred for position, but at last, a few minutes before six o'clock, "they came together side-by-side, within pistol-shot, the wind almost astern, and running before it they pounded each other with all their strength. As rapidly as the guns could be worked, the 'Constitution' poured in broadside after broadside, double-shotted with round and grape, — and, without exaggeration, the echo of those guns startled the world." Of her first broadside in that action, the master of an American brig, then a captive on board the British ship, afterwards wrote: "About six o'clock I heard a tremendous explosion from the opposing frigate. The effect of her shot seemed to make the 'Guerrière' reel, and tremble as though she had received the shock of an earthquake." "In less than thirty minutes from the time we got alongside of the enemy," reported Captain Hull to the Secretary of the Navy, "she was left without a spar standing, and the hull cut to pieces in such a manner as to make it difficult to keep her above water."

The historian has truly said of that conflict, — "Isaac Hull was nephew to the unhappy General [who, three days before the Constitution overcame the Guerrière, had capitulated at Detroit], and perhaps the shattered hulk of the 'Guerrière,' which the nephew left at the bottom of the Atlantic Ocean, eight hundred miles East of Boston, was worth for the moment the whole province which the uncle had lost, eight hundred miles to the Westward. . . . No experience of history ever went to the heart of New England more directly than this victory, so peculiarly its own; but the delight was

not confined to New England, and extreme though it seemed it was still not extravagant."

Therefore it is that the Massachusetts Historical Society, already, in 1812, an organization more than twenty years in existence, now directs this Memorial to be submitted, — she, the oldest among them, speaking through her Council for all other similar Societies throughout New England. In so doing it is needless to enter into the earlier and later history of what was essentially the "Fighting Frigate" of the first American Navy; for, in the memory of the people of the United States, the Constitution is, throughout her long record, inseparably associated with feats of daring and seamanship, — devotion and dash, — than which none in all naval history are more skilful, more stirring, or more deserving of commemoration. How can they be so effectively commemorated as by the pious and lasting preservation of the ancient ship, now slowly rotting at the wharf opposite to which she was launched six years more than a century ago?

And while the name of the Constitution is thus not only synonymous with courage, seamanship, patriotism, and unbroken triumph, the ship herself is typical of a maritime architecture as extinct as the galley or the trireme. She slid from the ways at what is still known in her honor as "Constitution Wharf" in Boston harbor ten months before Nelson won the Battle of the Nile, and eight years to a day before his famous flag-ship, the Victory, bore his broad pennant in triumph through the Franco-Spanish line off Trafalgar; and your Memorialists hold that, in the eyes and minds of the people of the United States, no less an interest and sentiment attach to the Constitution than in Great Britain attach to the Victory. The Constitution in the days of our deep tribulation did more for us than ever even the flagship of Nelson did for England; and, thenceforth, she has been to Americans as a sentient being, to whom gratitude is due.

Yet by Great Britain the Victory ever has been and now is tenderly cared for and jealously preserved among the most precious of national memorials. As such, it is yearly visited by thousands, among whom Americans are not least in number. The same care has not been extended over the Constitution; and yet your Memorialists would not for a moment suggest, nor do they believe, that the people, the Parliament, or the government of Great Britain are more grateful, more patriotic, or endowed with a keener sense of pride than the people, the Congress, or the Administration of the United States. As for the people, the contrary is, in case of the Constitution, incontrovertibly proven by the names of the thousands of pilgrims from all sections of the country annually inscribed on her register. So far as the Government is concerned, its failure to take measures for the lasting preservation of the old ship has been due,

in the opinion of your Memorialists, neither to indifference nor to an unworthy spirit of thrift, but to the fact that, amid the multifarious matters calling for immediate action, the preserving of an old-time frigate, even though freighted with glorious memories, has been somewhat unduly, though not perhaps unnaturally, deferred to a more opportune occasion.

None the less, the Constitution "is the yet living monument, not alone of her own victories, but of the men behind the guns who won them. She speaks to us of patriotism and courage, of the devotion to an idea and to a sentiment for which men laid down their lives." Therefore, your Memorialists would respectfully ask that immediate provision be made to the end that the course pursued by the British Admiralty in the case of the Victory may be pursued by our Navy Department in the case of the Constitution. We accordingly pray your Honorable Bodies that the necessary steps forthwith be taken for preserving the "Fighting Frigate" of 1812; that she be renewed, put in commission as a training ship, and at suitable seasons be in future stationed at points along our coast where she may be easily accessible to that large and ever-increasing number of American citizens who, retaining a sense of affection, as well as deep gratitude, to her, feel also a patriotic and an abiding interest in the associations which the frigate Constitution will never cease to recall.

And your Memorialists will ever pray, &c.

CHARLES FRANCIS ADAMS, *President*,
SAMUEL A. GREEN, *Vice-President*,
THOMAS JEFFERSON COOLIDGE, *Second Vice-President*,
EDWARD J. YOUNG, *Recording Secretary*,
HENRY W. HAYNES, *Corresponding Secretary*,
CHARLES C. SMITH, *Treasurer*,
HENRY F. JENKS, *Cabinet Keeper*,
ANDREW MCFARLAND DAVIS,
ARCHIBALD CARY COOLIDGE,
WILLIAM R. THAYER,
S. LOTHROP THORNDIKE,
JAMES F. HUNNEWELL,
JAMES DE NORMANDIE,
Members constituting the Council of the Society.

BOSTON, December 30, 1903.

The President then called on Capt. ALFRED T. MAHAN, a Corresponding Member, who spoke as follows: —

It would doubtless be an exaggeration to speak of the combat between the Constitution and the Guerrière as the

birth of the United States navy, for that would be to ignore the notable episodes of the Tripolitan hostilities, and the few brilliant engagements of the *quasi*-war with France in 1798; but "resurrection" is not too strong a word to characterize the effect produced upon the nation by the news that an American frigate had captured one of Great Britain, in a fight which was believed to be on equal terms. We know now that there was a very considerable disparity of material force between the two antagonists on that celebrated occasion; but we also know that the United States vessel, although it was but two months since war was declared, was in a state of efficiency, used her guns, and was handled with an ability which is the true and final test of military merit. Therefore, although the exultation of the nation proceeded in some measure on imperfect comprehension, it had a solid foundation in fact. That the Constitution was superior in force to the Guerrière is incidental only, — a matter of relative values; but that she did her work with a precision and rapidity which showed her fully capable of meeting an equal on equal terms, is a condition of positive attainment, in which pride may justly be felt. It is the deserving of success, as compared with achieving it.

It is, perhaps, not generally known, or, if known, not appreciated, how near the United States navy then was to absolute extinction by national act. It had been blood-let, starved, and emasculated, under the gunboat policy of Jefferson, until nothing saved it from complete exhaustion but the spirit and tone of its officers. With the exception of a few intelligent supporters from the maritime part of the country, — notably, of course, New England and New York, — nobody believed in it. This, again, was a reflection of Jefferson. In strict line of the tradition received from him, it was seriously proposed to lay the navy up, out of harm's way, when war began. Mr. Monroe, in his correspondence recently published, — the last volume has but just been issued, — mentions at length the discussion that went on, and the arguments on either side. He himself, the Secretary of State, leaned to the Jeffersonian idea, if I remember right. I have heard, all my life, the naval tradition that only a remonstrance from two or three naval captains obtained a reversal of this intention; but it was only the other day I came across this

chapter and verse confirmation of the report. Within four months of the declaration of war, known to be imminent, Congress positively and *in toto* refused to make any addition to the navy, which was weaker in material strength than when John Adams quitted office, eleven years before.

It was to such a condition of contemptuous governmental neglect, representing, doubtless, general popular apathy, that the news of the capture of the Guerrière came, following close on the heels of the news of the surrender of Hull and his untrained army. The revulsion of popular feeling was immediate and lasting. In the list of naval victories which every schoolboy knows by heart, the name of the Constitution maintains its pre-eminence. She has been the idealization of the United States navy; and not even Farragut's historic flagship, the Hartford, with all her renowned achievements, has been able to supplant her in popular imagination. It is no exaggeration to say that her victory over the Guerrière was the first throb of a new life which since that day has pulsed with vigor ever increasing; and in direct descent from it are to be traced the famous naval names of New Orleans, Vicksburg, Port Hudson, Mobile, Manila, Santiago.

Mr. Thomas Minns was elected a Resident Member; and Mr. Sidney Lee, of London, England, a Corresponding Member.

Mr. Henry W. Haynes presented, in behalf of the Hon. GEORGE F. HOAR, a memoir of the late Hon. Horace Gray which Mr. Hoar had written for publication in the Proceedings.

The PRESIDENT then read parts of the following paper: —

The Society will remember that, at our October meeting, I read a paper[1] wherein I endeavored to precipitate, so to speak, some residuum of historical fact from certain personal reminiscences contained in a speech delivered by the late Abram S. Hewitt at a Chamber of Commerce meeting, held in New York on the 7th of February, 1901, commemorative of Queen Victoria. A close analysis failed to yield any such residuum, even the least; and I found myself compelled to the conclu-

[1] Proceedings, second series, vol. xvii. pp. 439–448.

sion that the reminiscences in question were, in their essentials, purely imagined. In all my previous experience with statements based wholly on memory, of the same general character as those of Mr. Hewitt, this has so very rarely occurred that my curiosity was excited. Accordingly, I have since continued my investigations. Though I greatly regret it, I find myself compelled to say they have resulted in absolutely nothing more than a growing conviction that, at some remote period, Mr. Hewitt must have dreamed a very vivid dream. During his recent visit here Mr. Schurz incidentally told me that the story was one Mr. Hewitt was in his later years fond of repeating, and that he had himself often heard it before he saw it in the report of the Chamber of Commerce meeting. My final inference, therefore, is that it was a not unusual case of what may fairly enough be described as belief from frequent iteration. A curious parallel instance of this came to my notice a few days ago in the case of an acquaintance of mine, — a man not quite sixty. He told me how he had for years been in the habit of describing his vivid recollection of being taken as a child by his father down to and upon the frozen Boston harbor, in that famous winter (1844) when a channel was cut through the ice to enable the outward bound Cunard steamer to get off on her advertised sailing day. My friend had been wont to tell how, with his hand in that of his father, he had watched the unusual scene with a childish interest, and still remembered distinctly every detail of it. But at last on some occasion he chanced to repeat this story in presence of a friend slightly older than himself, who at once proceeded to question it. My acquaintance simply smiled, inquiring how it was possible for him so vividly to recall what he had never seen. The next day, however, he was confronted with the irrefutable chronology of recorded events; and, to his utter discomfiture, he found he was just six days old when that had occurred every detail of which in his more mature years he so distinctly recalled. In this case my friend's father had unquestionably witnessed the famous scene, afterwards so long referred to in Boston business circles. He probably had with him one of his children, an older brother of my friend. In after years the father was fond of describing the incident, but became confused as to which particular one of his offspring accompanied him. The rest followed. Except as respects his age at the

time the thing occurred, it was, I fancy, much the same in Mr. Hewitt's case.

However this may be, at the close of my previous paper I intimated an intention of following this subject further, but in a more general way. To quote my own words, — "The Hewitt reminiscence naturally leads up to another Civil War legend. I refer to the accepted tradition, now become almost an article of American faith, — that somehow and in some way the cause of the Union was in its hour of trial dear to Queen Victoria, and that we of the North were then under deep and peculiar obligation to her. . . . I have been quite unable to find any definite historical basis for this pleasing sentiment. Hereafter, and in the present connection, I propose to have on that topic also something to say." The results of my further inquiry I now submit.

It was on the 7th of February, 1901, that Mr. Hewitt put on record his hearsay recollection of the interview between Queen Victoria and Mr. Adams; that apocryphal interview, amid domestic surroundings, in which the former declared herself so unreservedly against anything which might lead to hostilities between Great Britain and the United States. Almost exactly a year later Prince Henry of Prussia came to Boston in the course of his tour through the United States, and, on the 6th of March, 1902, an honorary degree was conferred upon him by Harvard University. In the carefully prepared address delivered in Sanders Theatre by our associate President Eliot, when conferring the degree, occurred the following: "Universities have long memories. Forty years ago the American Union was in deadly peril, and thousands of its young men were bleeding and dying for it. It is credibly reported that at a very critical moment the Queen of England said to her prime minister, 'My Lord, you must understand that I shall sign no paper which means war with the United States.' The grandson of that illustrious woman is sitting with us here."

To much the same effect, though nearly thirty years earlier, Mr. Joseph H. Choate thus expressed himself at a reception tendered that very true friend of ours, the Right Hon. William E. Forster, at the Union League Club of New York City, December 14, 1874: "We shall probably find out that we had [in Great Britain, during the war of Secession] more friends

than we knew, both in Parliament and in the Government; and there is the best of reasons for believing that that gracious lady, the Queen herself, was from the first to the last an obstinately faithful ally of America, and was utterly averse to anything that might tend to a breach of the peace with her dearest ally."

Here in two instances, far removed from each other both in place and time, was Mr. Hewitt's story, appearing and reappearing in a slightly different form. Mr. Choate adduced in support of his statement a letter from Thurlow Weed, telling the familiar and to us pathetic story of Prince Albert's suggested modifications of Earl Russell's first draught of a despatch to Lord Lyons, in November, 1861, when news of the Mason-Slidell seizure on the Trent reached England. I have not written to Mr. Choate to learn whether he then had, or now has, any other information throwing light on the Queen's subsequent attitude as "from the first to the last [that of] an obstinately faithful ally," but I intend so to do. He may have known more than he told then, hearing it possibly from Mr. Hewitt; he may have learned more since, during his service in London. This I propose presently to ascertain. The somewhat carefully guarded statement of President Eliot was, however, both more recent and more specific. The language quoted by him as that made use of by the Queen was substantially the same as that contained in the Hewitt reminiscence; but it was, in this version, uttered to her Minister and not to the representative of a foreign country, and that country the one directly involved. In so far the Eliot version bore an aspect of much greater probability than the Hewitt version. The Eliot version was, humanly speaking, at least possible; this can scarcely be said of the Hewitt version. Accordingly, I wrote to President Eliot asking his authority for the striking statement thus made by him; if, indeed, he had any authority except Mr. Hewitt's then comparatively recent utterance. I promptly received the following reply: —

"In 1874 I was at Oxford for a week. Dr. Acland, to whom I had a letter, procured for me an invitation to lunch with Prince Leopold, who was then living with a tutor in a small house at Oxford and going to some lectures. Dr. Acland went with me, and we were four at the table. In the course of the luncheon the Prince told the story of the Queen's interview with Lord Russell, Dr. Acland prompting him to do

so. He gave no authorities and said nothing about the source of his information. He must have been a small boy at the time of this interview with the Queen. Dr. Acland spoke of the story as if he believed it. Naturally I remembered the Prince's statement, but I do not know that I ever have talked about it. Quite lately — that is, since last March — I heard somebody else attribute this statement to Prince Leopold, but I have now forgotten who that somebody else was. I have never seen any real authority for it, and that is the reason I used the expression 'credibly stated.'"

It thus appears that President Eliot spoke from his own recollection of what he had twenty-seven years previously been told by a youth of twenty-one of an occurrence and conversation which must have taken place at least twelve years before that, and when the youth in question was still a boy; for Prince Leopold, born in April, 1853, was, in 1862, as yet a child of nine. Nevertheless, here is authority, such as it is. Sir Henry Acland was in 1874 a man of fifty-nine. He had been in America, a member of the suite of the Prince of Wales during his memorable tour of 1860. In 1874 he was Regius Professor of Medicine at Oxford, and honorary physician to Prince Leopold, then an undergraduate. Thus a man very competent to form an opinion on such a point, and so situated as to have special sources of information thereon, intimated a belief in the story. This is corroborative evidence too strong to be lightly brushed aside. It indicates clearly and indisputably that an accepted tradition prevailed in the royal family and about Windsor Castle, that, at some period of crisis in the course of our Civil War, Queen Victoria did take a decided stand with the Ministry in opposition to anything calculated to provoke hostilities with the United States. Accepted traditions are rarely without some foundation of fact.

After very careful investigation my belief is that something of the kind described did occur, and that the policy of the Palmerston-Russell government was gravely influenced thereby: but I incline to think it occurred at Gotha or Balmoral, and not at Windsor; and, finally, that it was in the late summer or early autumn of 1862. For this conclusion I will now give my reasons, wholly irrespective of Mr. Hewitt's Chamber of Commerce address. For my belief is that Mr. Hewitt's reminiscence gradually assumed form in his mind in consequence of his having heard at the time, through the

gossip of London and Paris, vague echoes of something whispered about as having recently happened at Gotha, or elsewhere. This gossip he gradually confounded in memory with talk and incidents in his intercourse with Mr. Adams.

But to get at the probabilities in the case it is necessary to go far back, and obtain a correct understanding of the way in which, at the time in question, the Queen and her principal advisers viewed the situation of affairs and course of events, so far as the troubles in America were concerned. I do not propose in this connection to enter into any elaborate analysis of the character of Queen Victoria. Indeed, were I to attempt so to do, I should have none but the most general sources of information from which to draw my inferences. It is sufficient for my present purpose to call attention to a very noticeable article, entitled "The Character of Queen Victoria," which appeared in the Quarterly Review shortly after her death.[1]

This article, the authorship of which, only surmised, has never been publicly avowed, was evidently prepared by a practised writer, probably in collaboration with some woman, presumably of rank, who enjoyed long and peculiar means of intimate observation of the royal family. From what is said in this paper, — which at the time occasioned a great deal of talk in England, — several points of much significance in the present connection may safely be educed. Neither naturally, nor under the shaping influence of the Prince Consort, did the Queen have any bias towards democracy. It was Francis Joseph of Austria who on some occasion remarked, "Royalty is my business"; and Queen Victoria might well have so said. Throughout her entire life she bore herself in the spirit of the apothegm; and towards democracy in all its aspects and wherever existing, she felt an instinctive aversion. An ingrained Jacobite, one of her "strongest traits was her partiality for the Stuarts; she forgave them all their faults. She used to say, 'I am far more proud of my Stuart than of my Hanoverian ancestors'; and of the latter indeed she very seldom spoke." She would permit of no disparagement of even poor old James II.; and Dean Stanley used to say that, in character, she much resembled Queen Elizabeth, — who, by

[1] Referred to by Mr. Morley in his Life of Gladstone (vol. ii. p. 425) as "the remarkable article in the Quarterly Review," No. 386, April, 1901, p. 320.

the way, she particularly disliked. "When she faces you down with her 'It must be,'" the Dean declared, "I don't know whether it is Victoria or Elizabeth who is speaking." In the social life of the Palace also there was nothing of the *bourgeois* Queen about Victoria. She was insistent on court etiquette, and the picture given in the article in the Quarterly of the German evenings at Windsor is extremely suggestive. "The Royalties stood together on the rug in front of the fire, a station which none durst hold but they; and amusing incidents occurred in connection with this sacred object." Thus the Queen was utterly devoid of what may be termed sympathy for those democratic institutions of which the American Union was the great exponent among the nations, or for any movement in that direction. On the other hand, she had an instinctive dread of war, and of all foreign complications likely to result in war. Moreover, she had in 1860 been gratified, and even touched, by the warm welcome everywhere extended to the Prince of Wales by the great English-speaking community across the Atlantic. The recollection of it was still fresh in memory when the issues of the Civil War presented themselves. A single thing more remains to be said. Queen Victoria was in one important respect the true grandchild of George III., our old revolutionary *bête noir*. To quote again, and for the last time, from the article in the Quarterly: "No one that knew her late Majesty well will be inclined to deny that her extraordinary pertinacity, her ingrained inability to drop an idea which she had fairly seized, might naturally have developed into obstinacy. By nature she certainly was what could only be called obstinate, but the extraordinary number of opposite objects upon which her will was incessantly exercised saved her from the consequences of this defect." This final saving clause was of course naturally limited to normal conditions. It would be wholly safe on the other hand to surmise that the latent peculiarity of character here alluded to would, in her case as in the case of her grandfather, become morbidly active in presence of sufficiently exciting causes or under an excessive nervous strain.

Such was the Queen, a factor in the political conditions of her kingdom which no minister or combination of ministers was, during her long reign, ever able to ignore or even over-

ride. The royal sphere might be limited, and closely hedged about; but it was there, and within it her Majesty was supreme. During the entire period of our Civil War the so-called Palmerston-Russell ministry was in power. Formed in June, 1859, with an understanding between the two chiefs that either who might be sent for by the Queen would accept office under the other, it was "looked upon as the strongest administration ever formed, so far as the individual talents of its members were concerned."[1] And this fact of the individuality and character of those composing the ministry became subsequently of great importance in deciding the policy to be pursued at the critical period of our Civil War. The ministry remained in firm control of the government from June, 1859, until the death of Lord Palmerston in October, 1865. The three leading characters in it were Lord Palmerston, Premier, Lord John Russell, — created Earl Russell in July, 1861, — Secretary for Foreign Affairs, and Mr. Gladstone, Chancellor of the Exchequer.

It is not necessary in this paper, nor is it my purpose, again to thrash over the old historical material relating to the attitude and feelings of these men towards America during our conflict. The ground has been sufficiently covered, and the essential facts in the case are well established and familiar. In regard to them, therefore, I shall merely refer to the standard works, confining myself to the production of such new material as I have chanced upon in the course of recent investigations in connection with the inquiry now in hand.

In the first place, as respects Lord Palmerston. It has always been assumed that, from the very commencement of our troubles, his sympathies were with the Confederates, and that his instincts as a member and representative of the British privileged classes were hostile to the more democratic North. There can, I fancy, be no question that this was so. Nevertheless, during the earliest stages of the struggle, and before the Trent affair gave a decided adverse bent to the Premier's feelings, there was room for question. At first he seems to have regarded both parties to the quarrel with indifference, and, apparently, equal dislike. He cared not which whipped. Even as late as October 18th, — only twenty-one days before the seizure of Mason and Slidell, — the Pre-

[1] Ashley's Lord Palmerston (ed. 1879), vol. ii. p. 364.

mier thus wrote to the Foreign Secretary: "As to North America, our best and true policy seems to be to go on as we have begun, and to keep quite clear of the conflict between North and South. . . . The love of quarrelling and fighting is inherent in man, and to prevent its indulgence is to impose restraints on natural liberty. . . . I quite agree with you that the want of cotton would not justify such a proceeding. . . The only thing to do seems to be to lie on our oars and to give no pretext to the Washingtonians to quarrel with us, while, on the other hand, we maintain our rights and those of our fellow countrymen." [1]

Thus Palmerston was writing to Earl Russell, he then being at Broadlands and the Foreign Secretary in attendance on the Queen, who was still at Balmoral. Meanwhile Mr. John Lothrop Motley was at that juncture in Great Britain. He had in August been appointed to the Austrian mission, and, on his way to Vienna, necessarily passed through England. Mr. Seward, newly installed in his office of Secretary of State, was then eager to inform himself through all possible channels as to the state of affairs in Europe, and the views of our conflict held by public men, especially those of Great Britain and France. Mr. Motley's English acquaintance was exceptionally large; indeed there were few persons he could not reach. Deeply interested in the Union cause, he now made frequent reports of a semi-official character to the Secretary of State. These, I believe, have not yet been published. In them I find the following highly interesting accounts of interviews and conversations with Earl Russell and the Queen, and the writer's impressions as to the views and tendencies of Palmerston: —

"I had addressed a note to Lord Russell (who, as I understood, was at his country house called Abergeldie in the north of Scotland) saying that I had just returned to this country from America, and that, before I departed for Vienna, I should be glad to accept an invitation often made by him, that I should visit him in Scotland. The answer came by return of post, that he would be delighted to see me at once, and that he hoped I would stay as long as I could.

"On the ninth of September I reached Abergeldie, where, however, my engagements did not permit me to stay longer than a day and a half. During this time, I had many full conversations with him

[1] Ashley's Palmerston, vol. ii. p. 411.

of several hours duration. I believe that we discussed the American question in all its bearings, and he was frank and apparently sincere in his expressions of amity towards the United States, and in deprecation of a rupture or of serious misunderstanding. . . .

"I spoke to him of the report alluded to by the editor of the Spectator, that England would recognise the Confederacy in November. He smiled, and said that it was a pure fiction; that no such purpose existed. He discussed this matter at considerable length and alluded to the practice of nations to recognise *de facto* governments, when they had become facts; observing that such things went more rapidly in modern times than they did of old; but saying distinctly, and repeating it many times, that the government were not thinking of recognising the Southern confederacy, at present; that it was impossible to know what events might happen in the future, that the U. States government itself might ultimately recognise the seceding states, and that the English government could not be expected to pledge itself never to do what might, at some future period, be done by ourselves. At present, no such intention existed. He had been asked recently, in writing, by the Southern commissioners whether they were to obtain recognition, and, said he, 'I told them, no.' He added that he had seen them but twice, on their first arrival, some months ago. Since then, he had refused all personal interviews with them. He spoke of the tone of the press in America towards England; and I replied that it had been caused by the venomous language, and persistent and relentless malignity of the leading London journals; that there had never been more friendly feelings on the part of the American people towards this country than just before the outbreak of our troubles, but that the cold and scrupulous 'neutrality' not only of action but of sentiment paraded by England, had first surprised and then deeply offended the people, and that, on my arrival in America, I had found one universal feeling of bitterness even among those who had loved England most, which it was almost impossible to struggle against. I said that it was to me astonishing that when we had become involved in a civil war, because we had at last dethroned the slave power (for enduring the despotism of which we had so long been taunted by England) had limited the extension of slavery, had proclaimed the territories to be free soil and had established liberty as national and slavery as sectional, we should be censured and reviled by the English press, be refused one word of public sympathy from public men, should find our disasters mocked at by the leading journals and the triumphs of our enemies rejoiced in, and our struggles to maintain our place among the nations and to preserve the existence of our great republic, either derided or condemned as hopeless.

"He said that he could not censure our course; nor see how we

could have avoided the war. He did not wonder at our determination to put down the insurrection; but added that it was of so extensive a character, and was spread over so wide a surface, as to make our task seem a very formidable one. Five millions of people he thought hard to subdue, when fighting on their own soil; but he had no disposition to prejudge the case. He admitted the possibility of our efforts being successful, but thought that the effect of the Bull's Run affair would be to encourage the confederates. He spoke very reasonably of that event, and did not attribute any great consequence to the panic, because it was well known that this was not uncommon among raw levies and volunteers, who might afterwards become the best of soldiers. He thought that much less effect had been produced in England by the defeat and the rout, than by the circumstance of so many regiments leaving on the eve of active operations, because their term of enlistment had expired. This fact — more than anything else — had inspired distrust in our cause, because it would seem to argue the dying out of that enthusiasm for the war, which had been so conspicuous at first. . . .

"In speaking of the relations between our two countries, he said that — as in many similar cases — mutual distrust had produced mischief. England and America seemed each to suspect the other of hostile intentions, while it was probable that both were quite mistaken. He asserted, very earnestly, that the United States need fear no complications or quarrels with European powers, unless they were of our own seeking. No foreign nation wished to meddle with us. . . .

"Of course the subject of blockade was discussed. I said that in the Southern States there was the utmost confidence expressed that Great Britain would break our blockade, so soon as the cotton famine became imminent. It was notorious that the whole insurrection had been founded upon the theory that Great Britain could not exist without American cotton, and that therefore she could be relied upon to come to their rescue, after the United States should have effectually blockaded the cotton ports. The South believes itself possessed of the power of life and death over England by means of this single product, and therefore felt sure of forcing her into an alliance and into hostility to the United States. On the other hand, there was doubtless great uneasiness on the subject in the free states. To blockade the coast was one of the most indisputable of belligerent rights, and a forcible infringement by neutral governments of an effectual blockade was of course tantamount to a declaration of war. There was much anxiety therefore lest the stress of cotton should lead to war on the part of Great Britain. In this case, the consequences to humanity would be most disastrous. Without reference to the damage which each nation might inflict on the other, it was sufficient to intimate that the first effect of an infringe-

ment of the blockade and consequently of war made on the United States by Great Britain or by France, or by both united, would be a proclamation of universal emancipation of the slaves. I felt convinced that the people of the free states, finding themselves unjustly and illegally assailed by foreign powers, when engaged with this formidable domestic insurrection would instantly demand this measure in tones which no government could resist. The horrors of the French revolution had been mainly produced by the unwarrantable interference of foreign powers at the outset, and all the terrible results which might, at the present American crisis, flow from sudden and forcible emancipation, — bloodshed, servile insurrections, and the total destruction of the cotton cultivation for years, — would be justly laid at the doors of the foreign nations whose hostile proceedings should come to aggravate our domestic calamities. So long as the insurrection failed in securing a foreign alliance we felt confident of suppressing the great mutiny against constituted and benignant authority, without resorting to this last and most effective weapon. But, should there be a foreign combination against us, in the interest of cotton spinners and in defence of the slavery power, I had never heard of any person in the free states, whatever his politics, who doubted that general emancipation would be proclaimed.

"Lord Russell seemed impressed with these views, but suggested that such a measure would be but a *brutum fulmen* — as we were ostensibly engaged in a war to maintain the constitution and as the constitution forbade interference with slavery in the states. I answered that the whole aspect of affairs would be changed by the combination suggested, that the war would then become a war to the knife, a struggle for existence against enemies foreign and domestic, that society would be resolved into its elements, and that no man could measure the consequences of such a revolution; but that the people of the free states would feel themselves relieved from all responsibility for the measures necessary for their own preservation. I said that I felt that a combination between England and France to break our blockade would be one of the great crimes of history, and would be so recorded forever. I did not press this subject, however, for he most distinctly agreed with me in this opinion, and said that for England or any other power to break the blockade, legally and effectually established, would be entirely unjustifiable, and that the English government had no intention whatever of doing it. He repeated, in a grave and earnest manner, that they had never contemplated such a step. . . . He was well aware, he said, of the power which the South thought itself possessed of over foreign nations by means of their cotton, and he sympathised with the general impatience of England under this supposed monopoly. The government was doing, would do, what it could to foster the produc-

tion of cotton in India and other countries, and he felt hopeful of the result. He alluded to the resolution taken by the South to forbid the exportation of cotton, and showed me a familiar note to himself from Lord Palmerston on that subject, saying — 'We are up to that dodge.'

"I have detailed, at some length, our conversations, which were almost continuous during the greater part of my day and a half's visit, because I think such notices paint the attitude of the English government at the present moment, towards us, as fairly as could be done by more formal disquisitions. On the whole, it may be said that our destiny is in our own hands. There will be a reluctance on the part of England, France, and other foreign nations to interfere with our domestic quarrel, and no power is likely to recognise the Confederacy until, after a reasonable time, it shall appear manifest that the United States government is incapable of suppressing the mutiny and restoring the Union. That, as a matter of speculation, the European powers are incredulous of our capacity to accomplish the task to which we have set ourselves, is tolerably certain. At the same time they mean to remain expectant and attentive, and will readily be convinced of the justice of our cause by the logic of a few conclusive victories in the field. No other argument is likely to produce much effect. It is thoroughly understood here, that the war must go on, — that peace, for the present, is impossible. But foreign powers are not yet disposed to interfere. Lord Russell expressed the opinion that we were perhaps too heedful of the criticism and sentiments of foreign nations, and that such sensitiveness would seem to denote a want of confidence in ourselves and in the strength of our institutions, which he regretted. I answered that the observation was, to a certain extent, just, but that our anxiety was, at present, rather in regard to the probable acts of other nations, than to their opinions. If we were satisfied that foreign governments would leave us alone, to deal with the mutiny as we best could, we should soon show a stoicism and indifference towards neutral powers, equal to their own. England, by the press and proclamations, had cured us of sentimental yearnings for sympathy.

"It so happened, that in the morning prayers which Lord Russell, according to the habit of all English gentlemen, read to his household that day he read the chapter in which the passage occurs, 'the stone which the builders rejected, the same hath become the head of the corner,' etc. I commented to him on the oddity of the circumstance that he should have read these words to-day, for he was doubtless aware of the use which had been made of the text by a prominent personage in the Southern 'confederacy.' He replied, that he remembered the quotation very well; — 'the stone,' (slavery) which the builders (the framers of the constitution) had rejected, had now become the corner stone of the new confederacy. This led to much talk in respect to

the African slave trade, and I told him it seemed almost puerile to suppose that the Southern Confederacy, if once established and recognised by foreign powers, would not reopen that traffic; that their intentions on that subject were notorious, and were among the principal causes of the attempt to destroy the union; that proofs without end might be accumulated on this point, if evidence could be deemed necessary. He answered that he was fully instructed on this subject; and that although the representations made to the English government by the confederates were to the contrary effect, — the whole movement being described by them as one of free trade, and of resistance to Northern manufacturers and monopolists, — yet that there had been much information received from English consuls and others on whom they relied, as to the openly avowed intentions on the part of the South to reopen the African slave trade.

"On the morning after my arrival, Lord Russell mentioned to me at breakfast, that the Queen, then residing at Balmoral, about a mile and a half from Abergeldie, was aware that I was making him a brief visit and that I was to leave early next morning. She had accordingly sent to say that the Prince Consort as well as herself would be pleased if I would come to Balmoral that afternoon. As I had said nothing on the subject, myself, and had never been presented at the Court of St. James, I considered this attention as a marked civility not to myself, but to the United States of which government I have the honor to be one of the foreign representatives; and I expressed my satisfaction in that sense, to Lord Russell.

"In the afternoon he took me to Balmoral in the carriage, and we were received by the Prince Consort in the most informal and agreeable manner. The conversation was of some twenty minutes duration, and was strictly limited to commonplace subjects, without reference to politics; but the Prince Consort took especial pains, I thought, to be polite and friendly, and certainly produced a most pleasing impression upon me. While we were conversing, the door opened, and her Majesty walked, quite unattended, into the room, dressed in plain, black, morning costume. The Prince Consort presented me, and I was received with much affability; the Queen making a gracious observation in regard to myself, which I forbear to repeat, and then speaking at once, and with warmth, of the great pleasure which she had derived from the reception which the Prince of Wales had met with in America last year. The Prince Consort also expressed himself with eagerness on this subject, and alluded to the very great delight which the young Prince himself had experienced in his tour and in the friendly greeting which he had received from our nation.

"Nothing else, worthy to be repeated, was said, but I thought it my duty to mention the incident; for it seemed intended as a mark of re-

spect and goodwill to the United States. Her Majesty need not have seemed aware of my very brief visit to the neighborhood of Balmoral; but I do not wish to attribute more importance to the matter than it deserves.

"On our way back, I observed to Lord Russell that the Queen and Prince Consort seemed carefully to have abstained from any allusion to politics.

"He said — 'Yes — of course — for neither would choose to appear as interfering with the constitutional advisers of the crown.' He added however, that the Prince had asked him, on his coming into the room, a few minutes before I was introduced, 'well, what about recognition,' or something to that effect; and that he had answered, 'no, we are not thinking of that at present; we are not prepared to recognise the Southern confederacy.' 'I suppose you mean,' said the Prince Consort, 'that you don't intend to pledge yourself for all time, never to do it, whatever events might happen.' 'Yes,' answered Lord Russell, 'we can't look into all the future — but, for the present, we have no intention of recognising them.'

"He added, on my departure from Abergeldie, 'Tell Mr. Adams, that we are not thinking of recognising the Southern Confederacy.'

"On my taking leave of Lady Russell, she said to me; 'God grant that there may be no rupture, no ill blood between our two countries. Such an event is dreadful to contemplate.'

". . . I expect to have some conversation, very soon, with Lord Palmerston, either at his house in town or at Broadlands. He is not yet returned from Walmer Castle, but is expected daily. I shall report to you of this, in my next . . ."

The next letter from Mr. Motley was dated "Vienna, Nov. /61." In it he wrote: —

"In the present administration and its supporters, I know that we have many warm friends, warmer in their sentiments towards us than it would be safe for them in the present state of parties to avow. Lord Palmerston is not one of these friends. He knows little of our politics or condition, and cares less for them; and he is reckless of consequences should we give him good and popular cause of quarrel. But he is too adroit to place himself technically and flagrantly in the wrong; and therefore all fears that there would be a forcible infringement of our blockade have always seemed to me quite groundless."

It is important to note the date — September 9, 1861 — of the visit and conversations thus so graphically described. It was two months to a day before the occurrence of the Trent

affair, and eighty days only before all England was set aflame by the arrival (November 27) of the news of that affair. The attitude towards things American of the British ministry at the earlier date was thus explicitly set forth. It certainly presented no grounds for complaint on our part. The glimpse given of the royal family is also suggestive.

Up to this time (September, 1861), the recently appointed American Minister, Mr. Adams, had met Lord Palmerston merely in an official capacity and in the most formal way. He had been in London nearly five months; but he had arrived when the season was already well advanced towards its later stages, and had seen the Premier only on state occasions, or from the gallery of the House of Commons. Towards the end of September he had made a flying visit to Scotland at the invitation of Earl Russell, and had there been the guest of the latter at Abergeldie Castle for a single day (September 25), occupied with official business. Mr. Motley had preceded him as a guest by about two weeks. While there Lady Russell had driven Mr. Adams through the Balmoral grounds, but he had seen nothing of the royal family. Subsequently, on the 9th of November, he had been one of the guests and speakers at the Lord Mayor's dinner, at which the Premier was a prominent figure. What the Premier says at the annual Guildhall dinner is apt to be significant. On this occasion Mr. Adams listened with the keenest interest. The struggle in America was the issue then uppermost in all men's minds, the cotton market was excited, and it was not improbable that the policy of the government might on this occasion be shadowed forth in anticipation of the meeting of Parliament. The impression left on Mr. Adams's mind was favorable. He referred to what Lord Palmerston said as being marked by his "customary shrewdness," adding, — "He touched gently on our difficulties; and, at the same time, gave it clearly to be understood that there was to be no interference for the sake of cotton." This was on the 9th of November; and, the very day before, the steamer Trent had been stopped in the Old Bahama Channel, some four thousand miles away, and Messrs. Mason and Slidell taken from her. Eighteen days later, on the 27th, the occurrence became known in England. Such a contingency had, however, already suggested itself to the authorities as a possibility, and the opinion of the law officers

of the crown asked upon it. Mr. Adams now had his first interview with Lord Palmerston. Of it he immediately afterwards made the following diary record: —

"*Tuesday, 12th November,* 1861: — Received a familiar note from Lord Palmerston asking me to call at his house and see him between one and two o'clock. This took me by surprise, and I speculated on the cause for some time without any satisfaction. At one o'clock I drove from my house over to his, Cambridge House in Piccadilly. In a few minutes he saw me. His reception was very cordial and frank. He said he had been made anxious by a notice that a United States armed vessel had lately put in to Southampton to get coal and supplies.[1] It had been intimated to him that the object was to intercept the two men, Messrs. Slidell and Mason, who were understood to be aboard the British West India steamer expected to arrive to-morrow or next day. He had been informed that the Captain, having got gloriously drunk on brandy on Sunday, had dropped down to the mouth of the river yesterday, as if on the watch. He did not pretend to judge absolutely of the question whether we had a right to stop a foreign vessel for such a purpose as was indicated. Even admitting that we might claim it, it was yet very doubtful whether the exercise of it in this way could lead to any good. The effect of it here would be unfavorable, as it would seem as if the vessel had come in here to be filled with coal and supplies, and the Captain had enjoyed the hospitality of the country in filling his stomach with brandy, only to rush out of the harbor and commit violence upon their flag. Neither did the object to be gained seem commensurate with the risk. For it was surely of no consequence whether one or two more men were added to the two or three who had already been so long here. They would scarcely make a difference in the action of the government after once having made up its mind. He was then going on to another question, when I asked leave to interrupt him so far as to reply on this point. I would first venture to ask him if he would enlighten me as to the sources of information upon which he imputed the intention

[1] The United States steamer James Adger, Commander John B. Marchand, had left New York October 16, under orders to intercept, if possible, the Confederate steamer Nashville, which ran the blockade at Charleston on the night of October 10, 1861, and was falsely reported to have Messrs. Mason and Slidell on board, presumably destined for some European port. The Confederate commissioners in fact left Charleston on the Theodora two days later, on the night of October 12. The following day they arrived at Nassau, their immediate destination; and thence went to Cuba, still on the Theodora, landing at Cardenas. The orders under which Commander Marchand sailed were given under an entire misapprehension of facts, and his instructions related exclusively to the Nashville. See the Official Records of the Union and Confederate Navies in the War of the Rebellion, series I., vol. i. pp. 113, 114, 128, 224–227.

of Captain Marchand to take such a step. His Lordship answered that he had no positive information, but that his belief rested on inferences of the motive for sending the vessel so far, and the coincidence in her time of departure. To this I remarked that Captain Marchand had been to see me, and had shown me the instructions under which he sailed. The object of the government had been, upon receiving information that the steamer Nashville from Charleston had succeeded in breaking the blockade and was proceeding with these men on a voyage to Europe, to despatch vessels in several directions with the design of intercepting and capturing her. I presumed that no objection could exist to such a proceeding on our part. His Lordship assented, though he did not seem to have heard of the Nashville or to understand its destination. I then said that the James Adger had been sent in this direction, but finding no news of the Nashville, and learning that the two emissaries had stopped at the West Indies, Captain Marchand had written to me his intention to return to the United States. I would however remark that I had urged him to follow up a steamer called the Gladiator which had been fitted up and despatched from London with contraband of war for the insurgents. Though sailing under British colors, I advised him to seize her on the first symptom of destination to a harbor in the United States. His Lordship did not deny my right, but he intimated that the proof ought to be well established. I said that my government had no desire to open questions with this country. On the contrary I think they would do all in their power to avoid them. But I could not deny that these proceedings in England were excessively annoying, and that there would spring up a strong desire to arrest them as decisively as possible. His Lordship then passed to the case of Mr. Bunch, the consul at Charleston. . . . We then passed into more general conversation, in the course of which I ventured to ask if it was to be presumed that the two governments of France and Great Britain were acting in concert in regard to the United States. He said, Yes. I then mentioned my having received in my latest despatch notice that M. Mercier had apprised my government that the French stood in need of cotton. Was I to understand that this was in concert too? His Lordship said that he was aware of the French government having directed a suggestion to be made, that it would be glad to have cotton, but it was nothing more, and Lord Lyons had not any direction to join in it. I replied that I so understood it, but that I could not but regret such steps as they formed the only foundation upon which the insurgents rested their hopes of success. Mr. Yancey in his speech at the fishmongers' dinner had sufficiently expressed it, but in point of fact I had reason to know that he and his associates had been indefatigable in their representations of the certainty of interference in their behalf.

It was this view of the subject which created the irritation in the United States. If we could be left entirely to ourselves the issue would not be long doubtful. To this his Lordship made the common remark among his countrymen that we might perhaps coerce and subdue them, but that would not be restoring the Union. I answered that such was not our desire. What we expected to do was to give them an opportunity for making an unbiased decision. We believed that this was a conspiracy which had blown up a great rebellion. A short time would test the sense of the whole community. If the presence of a force adequate to protection did not develop a counter movement to return to the Union, I did not believe that pure coercion would be persevered in. I did not however add my conviction that slavery as a political element must be completely expunged before there can be any hope of permanent peace. I then took my leave and returned home." [1]

This record certainly shows Lord Palmerston in no attitude of hostility to America. On the contrary, he distinctly went out of his way to give a friendly intimation calculated to forestall and prevent the doing of something which was unfortunately already done, but which is now universally admitted to have been the super-zealous act of well-nigh incredible folly on the part of a highly indiscreet and ill-balanced naval officer. And Lord Palmerston did this, too, in a very kindly way. There was in his manner nothing either rough or brusque, or in any way offensive. On the contrary, it was marked by much characteristic *bonhomie*. Mr. Adams so accepted it, and began even to relax in his suspicions of the Premier.

The next glimpse we get of Palmerston he appears in quite another character. It is from the recently published Memoirs of Sir Horace Rumbold. The Trent was stopped November 8th; the interview between Mr. Adams and the Premier at Cambridge House was on the 12th; the news of what had taken place on the 8th reached London on the 27th. I now quote Sir Horace Rumbold: [2] "As soon as the news reached England, a Cabinet Council was summoned, and I had it on the same day from Evelyn Ashley that Lord Palmer-

[1] Mr. Adams's official account of this very significant interview is contained in a despatch to the Secretary of State dated November 15, 1861. It was never printed in the Diplomatic Correspondence, but is to be found almost in full in volume 115 of the War Records (pp. 1078, 1079).

[2] Sir Horace Rumbold, Recollections of a Diplomatist, vol. ii. p. 83.

ston, on entering the room where the Ministers met in Downing Street, threw his hat on the table, and at once commenced business by addressing his colleagues in the following words: 'I don't know whether you are going to stand this, but I 'll be d——d if I do!' The ultimatum demanding the surrender of the prisoners was decided upon there and then, and sent out within two days (on the following Sunday)."

Into what subsequently occurred in the so-called Trent affair I do not propose here to enter. It is matter of history, and, in this connection, I have no new light to throw upon it. The royal family was then at Windsor, having left Balmoral October 22. The Prince Consort began to sicken on the 1st of December; he died on December 14. As is well known, his very last public act was to soften down the asperities of the despatch to Lord Lyons as originally drawn up by the Foreign Secretary, and, according to usage, submitted to the Queen before transmission. Full details on this subject may be found in Sir Theodore Martin's Life of the Prince Consort. It is sufficient here to say — but to emphasize it is of importance in the matter under discussion — the last working hours of the Prince were anxiously devoted to an effort to preserve friendly relations between Great Britain and the United States. That might well have been considered his dying injunction to the Queen. The Prince was buried on the 23d of December; and when, on the 9th of the following month, Lord Palmerston officially communicated to her Majesty the intelligence that the Trent affair was happily solved, she promptly reminded him of the fact that "this peaceful issue of the American quarrel was greatly owing to her beloved Prince."[1]

In America active military operations had then ceased, and the two rivals were preparing for a supreme trial of strength when the season for military operations should open. Europe was looking on; a universal mourning for the Prince Consort overshadowed Great Britain; the stoppage of cotton shipments by the Federal blockade was beginning to make itself felt in the manufacturing districts of both England and France; the combined French, Spanish, and English movement on Mexico was in preparation; the expediency and consequent probability of a joint movement of European powers looking to a

[1] Lee's Victoria, p. 328.

recognition of the Confederacy and a consequent intervention in our Civil War was under discussion; no active movement to that end had, however, yet been initiated. The Queen herself, much broken by the death of her husband, and both mentally and physically in a condition which caused profound solicitude, attended to her public duties and transacted business as had been her habit with her ministers, but naturally had to be treated by them with great consideration. Morbid excitement was feared, and anything which might conduce to it carefully avoided.

This condition of affairs lasted all through both the winter and spring of 1862, — the months immediately following the death of the Prince Consort. During that time there is no reason whatever to suppose that, as a question of policy, any issue growing out of the American difficulties was brought to the Queen's notice. She had no occasion to express herself; and, weighed down by domestic affliction, her mind was intent on other things. During those months, however, the cotton famine reached its worst stages both in Great Britain and France; and, contemporaneously, the Union operations underwent severe reverses. As a natural result, the question of recognition, and consequent intervention, became urgent. The French Emperor publicly favored this course, repeatedly and persistently urging the British government to take the initiative, and signifying his readiness to co-operate.[1] The struggle in America was the uppermost subject of interest throughout Europe, and especially in Great Britain, where the tide of sympathy ran strongly with the Confederates in what was looked upon as their gallant struggle for independence against overwhelming odds of men and resources. The condition of the Queen, though not discussed openly, was well understood in court circles. She was unequal to any nervous strain. This was recognized by the Confederate emissaries in London as a serious obstacle in the way of that recognition for which they were praying. They also were well informed on this point; probably far better informed than the American Minister, for at least four out of five of the ministry and members of Parliament, and almost the entire court circle, were strong sympathizers with the Confederacy. Accordingly, on February 28, 1862, James M. Mason, the Confederate commissioner in

[1] Rhodes's United States, vol. iv. pp. 94 n., 346.

London, wrote to Mr. Hunter, the Richmond Secretary of State: "In political circles it is thought the condition of the Queen has much to do with the manifest reluctance of the Ministry to run any risk of war by interference with the blockade. It is said that she is under great constitutional depression, and nervously sensitive to anything that looks like war. Indeed much fear is entertained as to the condition of her health." And a few days later (March 11) to the same effect: "Many causes concur [in bringing about a general support of the ministry in its policy of non-intervention]. First, the prevailing disinclination in any way to disturb the mourning of the Queen. The loyalty of the English people to their present Sovereign is strongly mixed up with an affectionate devotion to her person. You find this feeling prevalent in all circles and classes." Finally, writing on the 31st of July following, Mason says: "The Queen remains in great seclusion, and it is more than whispered that apprehension is entertained lest she lapse into insania." [1]

That summer the Queen passed at Osborne, at Balmoral, and at Windsor; but early in the autumn (September) she went over to Germany, and was for a short time at Gotha, returning to England October 26. Earl Russell was in attendance there upon her; and the crisis in American affairs, so far as European intervention was concerned, then occurred. It was, I am inclined to believe, at that juncture, if ever, the Queen took a decided stand with the ministry against the adoption of any policy likely to lead to hostilities with the United States. Almost certainly the issue must then have been presented to her.

It came about in this wise: — Referring to the outcome of the so-called Pope, or second Bull Run, campaign before Washington in August, 1862, Lord Palmerston wrote to Earl Russell, then (September 14) in attendance at Gotha, suggesting whether the time had not come "for us to consider whether, in such a state of things, England and France might not address the contending parties and recommend an arrangement upon the basis of separation." This suggestion strongly commended itself to the Foreign Secretary, who replied on the 17th that he was decidedly of the same mind as the Premier: "I agree

[1] The Public Life and Diplomatic Correspondence of James M. Mason, pp. 264, 265, 315.

with you that the time is come for offering mediation to the United States government, with a view to the recognition of the independence of the Confederates. I agree further that, in case of failure, we ought ourselves to recognize the Southern States as an independent State. For the purpose of taking so important a step, I think we must have a meeting of the Cabinet. The 23d or 30th would suit me for the meeting." To this very emphatic acquiescence in his views, Lord Palmerston six days later, on the 23d, wrote back: "Your plan of proceedings . . . seems to be excellent. . . . As to the time of making the offer [of mediation] if France and Russia agree — and France, we know, is quite ready, and only waiting for our concurrence — events may be taking place which might render it desirable that the offer should be made before the middle of October." Lord Russell now left Gotha and returned to London, Lord Granville relieving him in attendance on the Queen. Shortly after Lord Granville assumed his personal duties a message reached him from the Foreign Secretary announcing the probability of the question of joint mediation being brought before the Cabinet. And it is just here if anywhere, — at the very darkest period of our struggle, that week in September which saw the indecisive conflict at Antietam in Maryland, and while the "fate of Kentucky was hanging in the balance," [1] — it was, as I surmise, at this juncture, if at all, that the Queen took the stand she is alleged to have taken, and put her personal veto on any movement, or change of policy, calculated to embroil the two countries. That she did so cannot be positively asserted from any evidence yet come to light. There is, however, a mystery which then did hang over the outcome of events, — a mystery the American Minister was unable to penetrate, and never did penetrate, — but which would be explained in a way altogether natural on the hypothesis that the incident narrated by Prince Leopold occurred at that time. In any event, something indisputably did occur of a nature potent enough to give pause to the programme fully decided upon between the two heads of the Cabinet.

The letter from Lord Russell in London to Lord Granville in attendance at Gotha, announcing the proposed change of policy, and intended, of course, for the information of the

[1] Rhodes's United States, vol. iv. p. 177.

Queen, must have reached its destination during the last ten days of September. Now it is a well-established fact historically that, under the guidance of the Prince Consort, the Queen had ever since the early days of her reign come to "regard the supervision of foreign affairs as peculiarly within the Sovereign's province."[1] After the Prince Consort's death, — "gradually she controlled her anguish, and deliberately resigned herself to her fate. . . . Hitherto the Prince, she said, had thought for her. Now she would think for herself. His example was to be her guide. The minute care that he had bestowed with her on affairs of State she would bestow. Her decisions would be those that she believed he would have taken. She would seek every advantage that she could derive from the memory of his counsel."[2] As respects the struggle in America, the chief members of the ministry had "made no secret of their faith in the justice of the cause of the South. The Queen and Prince Consort inclined to the opposite side."[3] During the year following the Prince's death she on more than one occasion "pressed her own counsel on [her Ministers] with unfailing pertinacity, and was often heard with ill-concealed impatience." Once at least it is recorded that in a matter of continental policy she "sternly warned her Government against any manner of interference"; and on another occasion she wrote, — "I know that our dear angel Albert always regarded a strong Prussia as a necessity, for which therefore it is a sacred duty for me to work." To the same effect in January, 1864, she wrote to Duke Ernst, the brother of the Prince Consort, referring to a matter of foreign policy, — "Our beloved Albert *could not* have acted otherwise." Subsequently, during the Schleswig-Holstein complications, when the ministry, backed by public sympathy, strongly inclined to intervention, "the credit of upholding in England a neutral policy was laid with justice, in diplomatic circles, at the Queen's door."[4] As Mr. Gladstone at this time wrote of her from Balmoral to his wife, "her recollection of the Prince's sentiments [is] a barometer to govern her sympathies and affections."[5]

[1] Sidney Lee's Queen Victoria, p. 128.
[2] *Ibid.*, p. 323.
[3] *Ibid.*, p. 314.
[4] *Ibid.*, pp. 336, 337, 338, 345, 351.
[5] Morley's Gladstone, vol. ii. p. 97; also, *ibid.* p. 102.

Such was the practice during the period succeeding the death of Prince Albert, and such the course of the Queen. The communication from Earl Russell to Lord Granville, involving as it did a question of state policy of great moment on an issue which absorbed public attention, must presumably have been brought to the notice of the Queen. It was for that purpose Earl Granville was in attendance; and Earl Granville, besides being an experienced diplomat, was a most tactful man.[1] If it was so brought to the Queen's notice, what then passed between her and the member of the Cabinet in attendance upon her, we do not know. We do know that the Queen felt a chronic mistrust of Lord Russell's judgment in the conduct of foreign affairs, a mistrust which had been made manifest to her other advisers; as Mr. Gladstone expressed it a year later, "I have already had clear proof of this."[2] Whatever may have occurred on the present occasion, we further know that Lord Granville at once wrote "a very long letter" to the Foreign Secretary, one passage from which only has come to light. It is quoted in Spencer Walpole's Life of Earl Russell. That passage is significant. It was very much in the nature of a cold douche to the action proposed: "It is premature to depart from the policy which has hitherto been adopted by you and Lord Palmerston; and which, notwithstanding the strong antipathy to the North, the strong sympathy with the South, and the passionate wish to have cotton, has met with such general approval from Parliament, the press, and the public."[3]

It would be very interesting in the present connection if we could see the rest of the "long letter" from which such a paltry extract was thus taken. Though Lord Granville was naturally much deferred to in the council of a ministry over which it had originally been proposed he should himself preside as Premier, it is to be presumed that the Foreign Secretary,

[1] "Lord Granville was excessively fortunate in all his dealings with the Queen. A finished actor and a finished man of the world, he contrived in all conditions to maintain exactly the right tone. The remarkable gifts of this astute statesman never appeared to such brilliant advantage as during his interviews with the Queen, whom he exhilarated with his gaiety and sprightly wit. Of Lord John Russell she said amusingly, that he would be better company if he had a third subject; for he was interested in nothing except the Constitution of 1688 and — himself." Quarterly Review, January, 1901, p. 333.

[2] Morley's Gladstone, vol. ii. p. 98.

[3] The Life of Lord John Russell, vol. ii. p. 363.

in Downing Street, wrote to the Lord President of the Council, at Gotha, not to obtain an expression of his own views, but as the member of the Cabinet then in immediate attendance on the Queen. Rumors, strange and painful, were in circulation concerning her condition. One, well understood at the time, was that she believed herself to be in constant spiritual communication with her dead husband. This had become an hallucination, and odd stories, half humorous and wholly pathetic, were whispered about of the extravagances into which she was led by it. Lord Granville was a discreet as well as a considerate man; very devoted to the Queen, he was the last person likely to put anything on paper which might reflect on the Queen's sanity, or imply a doubt concerning it. None the less she had to be dealt with most tenderly. She was, moreover, especially sensitive about the attitude of Great Britain towards America. She may well have looked upon that question in the light of what she regarded the dying injunction of her husband — not yet nine months gone.[1] War she shrank from always, and she regarded Prince Albert as a victim in the cause of amity in this particular case. Under all these circumstances — the native obstinacy of her disposition not improbably incited to action by some implicitly believed supernatural communication — it is more than possible, it is highly probable even, that she now expressed herself to Lord Granville in some such way as that traditionally reported in the Prince Leopold anecdote. Nothing indeed would have been more natural than for her so to do. She was immovable; and that immobility the tactful Granville expressed in the somewhat noticeable diplomatic phraseology of the above brief extract from his "very long letter." If so, his colleagues evidently understood him.

Certainly, what then ensued is curious. A programme of momentous foreign policy advisedly entered upon after months of consideration by men of mature life and long experience, like Palmerston and Russell, was not lightly to be abandoned. It might be deferred. They understood the Queen; they

[1] Referring to the Schleswig-Holstein question a year later, and describing an evening's talk with the Queen, Mr. Gladstone wrote: "She spoke about this with intense earnestness, and said she considered it a legacy from him." And again, in September, 1864: "Whenever she quotes an opinion of the Prince, she looks upon the question as completely shut up by it, for herself and all the world." Morley's Gladstone, vol. ii. pp. 102, 105.

fully appreciated the condition in which she then was, as well as that into which she might easily be precipitated. They might well, by inconsiderate action on that particular subject, force her over the edge of the much dreaded abyss. Studied from this point of view, what now ensued was suggestive. The Cabinet fell into a species of chaos. It was small matter for surprise that Mr. Adams, watching intently outer developments, professed himself unable to grasp the bearing of what was said and done. If I am correct in my present surmise, he did not hold the key to the mystery.

Immediately on receiving Lord Granville's "very long letter" from Gotha, Lord Russell transmitted it to Lord Palmerston, then at Broadlands. This was probably about the 30th of September. Two days later, on October 2, it was returned to the Foreign Secretary with a hesitating reference to the course of events in America as indicated by the tidings which immediately followed the outcome at Antietam, closing with a suggestion of delay. "Ten days or a fortnight more may throw a clearer light upon future prospects." That "ten days or a fortnight" Lord Russell utilized in the preparation of an elaborate, though confidential, cabinet circular in direct furtherance of the deferred mediation programme. In spite of the significant missive from Gotha, that programme was by no means abandoned; and most naturally not. It had been discussed, and agreed upon. In the Cabinet circular the question was plainly put, whether in the light of what had taken place in America, and the condition of distress prevailing throughout the manufacturing districts of England and France, it was not the duty of Europe "to ask both parties, in the most friendly and conciliatory terms, to agree to a suspension of arms for the purpose of weighing calmly the advantages of peace," — and so forth and so on, in the usual cant of the philanthropic, but interested, neutral. This confidential memorandum was sent forth on or about the 13th of October. The meeting of the Cabinet was fixed for the 23d. The crisis for America was plainly imminent. Mr. Adams was much alive to it, but very conscious of his own impotence to affect results. "The suspense," he wrote, "is becoming more and more painful. I do not think since the beginning of the war I have felt so profoundly anxious for the safety of the country." And again, a few days later, — "We are

still left in suspense. I hope more than I dare express. For a fortnight my mind has been running so strongly on all this night and day that it seems almost to threaten my life."

Just then it was that Mr. Gladstone further complicated the situation by that famous Newcastle speech in which, amid the cheers of his audience, he declared that Jefferson Davis had "made a nation" and went on to express his belief that the independence of the Confederacy and the consequent dissolution of the American Union were "as certain as any event yet future and contingent can be." A more indiscreet utterance on the part of a prominent public man it would be difficult to formulate. Twenty-one years later, when himself Prime Minister, Mr. Gladstone had occasion to refer to a not dissimilar speech made by a colleague on a matter of policy then under discussion, and he did so in words at once characteristic and curiously applicable to his own Newcastle outbreak when Chancellor of the Exchequer in the Palmerston-Russell ministry. The colleague in question, he wrote, "seems to claim an unlimited liberty of speech," and what he said, he went on to add, "exceeded [the recognized limits of modesty and reserve] largely, gratuitously, and with a total absence of recognition of the fact that he was not an individual, but a member of a body."[1]

Well might Mr. Adams write in his diary, after reading the apparently wanton, unless deeply significant, utterance of Mr. Gladstone, — "If he [the Chancellor of the Exchequer] be any exponent at all of the views of the Cabinet, then is my term likely to be very short; for the animus as respects Mr. Davis and the recognition of the rebel cause is very apparent. . . . The meditation on these things sensibly depressed my spirits. We are now passing through the very crisis of our fate." And he had good cause so to express himself. The European cotton famine of 1861–1863, incident to the Union blockade of the ports of the Confederacy, and the suffering, not less wide-spread than cruel, thereby occasioned, have long since passed out of recollection. It is as if they, together with the political pressure and international problems resulting therefrom, had never been. None the less, a few weeks only after Lord Russell drafted his Cabinet circular just referred to, Mr. Gladstone expressed himself in language

[1] Morley's Gladstone, vol. iii. p. 113.

most emphatic as to "the heavy responsibility you [Americans of the North] incur in persevering with this destructive and hopeless war at the cost of such dangers and evils to yourselves, to say nothing of your adversaries, or of an amount of misery inflicted upon Europe such as no other civil war in the history of man has ever brought upon those beyond its immediate range." The writer then went on thus to set forth the wickedness of any further continuance of our efforts towards a re-establishment of the Union: "The impossibility of success in a war of conquest of itself suffices to make it unjust. When that impossibility is reasonably proved, all the horror, all the bloodshed, all the evil passions, all the dangers to liberty and order, with which such a war abounds, come to lie at the door of the party which refuses to hold its hand and let its neighbor be. You know that in the opinion of Europe that impossibility has [in the present case] been proved."[1]

Returning to Mr. Gladstone's speech at Newcastle-on-Tyne, that extraordinary and well-nigh inexplicable indiscretion has been sufficiently discussed elsewhere. Mr. Morley also has a good deal to say about it in his recent book.[2] It is here referred to only in its connection with the Palmerston-Russell programme of September–October, 1862, involving a recognition of the Confederacy and the cessation of hostilities. Of that proposed action the Chancellor of the Exchequer was advised. He had been consulted concerning it,[3] and in his Newcastle speech he merely foreshadowed a coming event. It was so understood by the public; and, being so understood, the Chancellor of the Exchequer had, so to speak, unwittingly let the cat out of the ministerial bag. The Newcastle speech was on the 7th of October; on the 13th the Foreign Secretary sent out his confidential memorandum to the members of the Cabinet; on the 23d the meeting of the Cabinet was to take place. That meeting never

[1] Letter to Cyrus W. Field, November 27, 1862. Harper's Monthly Magazine, (May, 1896), vol. xcii. p. 847.

[2] Mr. Gladstone himself long subsequently (1896) said of this utterance: "My offence was indeed only a mistake, but one of incredible grossness, and with such consequences of offence and alarm attached to it, that my failing to perceive them justly exposed me to very severe blame." Morley's Gladstone, vol. ii. p. 82.

[3] *Ibid.* p. 76.

did take place. On the 14th Sir George Lewis, head of the War Office, speaking at Hereford, very pointedly controverted the position taken by his colleague, the Chancellor of the Exchequer; and thus, as if by magic, the Premier and the Foreign Secretary found themselves between two fires, Lord Granville, representing the Queen on one side, and Sir George Lewis, speaking for what might be best described as the Cobden-Bright element in the Cabinet, on the other side.[1] That cross-fire drawn by Mr. Gladstone so inopportunely for them, so opportunely for us, Lord Palmerston did not care to face. And in such emergencies it was now the wont of the octogenarian Premier to suggest that "it would be best for us to wait awhile before taking any strong step." So they waited now; but the time for taking the "strong step" in this case never came.

To what extent the well-known physical and mental condition of the Queen, her attitude towards the United States, and her utterances to her Ministers may have contributed at this most important juncture to the negation of action will, in all human probability, remain a mystery. That they were important factors in the final result may perhaps be assumed from the extract I have quoted from Lord Granville's letter to Earl Russell. That her attitude and utterances assumed at any time the emphatic and obstructive shape assigned to them in the royal family traditions cannot be asserted; to me it seems probable they did. In any event, Prince Leopold's story furnishes a most plausible explanation of a diplomatic and political *volte-face* in a move which at the time Mr. Adams correctly regarded as involving the "very crisis of our fate," and the outcome of which he afterwards always looked back upon as strangely inexplicable.

The meeting of the British Cabinet, notified for October 23, 1862, was, as I have said, never held. In part place of it, the American Minister on the afternoon of that day had a long and very significant talk with the Foreign Secretary at his official residence in Downing Street. Of that interview, and what then was said, Mr. Adams at the time wrote down

[1] Mr. Morley, however, in his Gladstone (vol. ii. p. 80) says, — "Lewis, at Lord Palmerston's request as I have heard, put things right." This would not affect the statement in the text as to a strong difference of opinion in the Cabinet over the question at issue. See Life of C. F. Adams, American Statesmen Series, pp. 283–289.

two accounts, — one in his diary, the other in the form of a despatch to Secretary Seward. In neither account is there any reference to the Queen, or suggestion that by possibility she had exercised an influence over the outcome of events. That the danger had been great and the margin of safety the narrowest possible, Mr. Adams fully realized; but I gravely doubt if it ever entered into his conception that, at the very most critical period of our foreign relations during the Civil War, — a period when it was simply touch-and-go with the Union, — the whole course of events may not impossibly have turned on the individual attitude of the widow of Prince Albert.

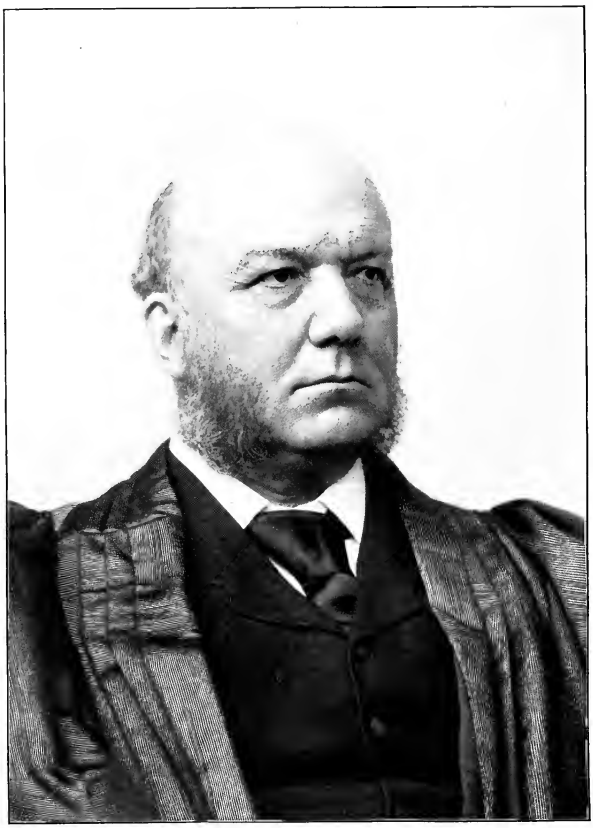
Mr. Adams's diary account of his interview with Earl Russell on the afternoon of October 23, 1862, is as follows: [1] —

"At half-past two o'clock drove to the Foreign Office to keep the appointment made by Lord Russell for three. I found in the antechamber quite a number of the corps, however, apparently assigned for the same hour. Among them Count Bernstorff, who has just returned, Baron Brunnow, Count Flahault, M. Musurius and the Spanish and Danish ministers at a later moment. Of course there was a long delay and desultory conversation. The only thing worth noting was that Baron Brunnow, on coming down from his interview, took me aside and reminded me of a conversation we had had some time ago in the same chamber, in which he had expressed a belief of the intention of this government to maintain its position with us. He remembered I had expressed doubts, but he had proved right. He still thought that the same disposition continued to prevail. I said I was glad to hear him say so. As to the past I could only say that I then thought I had reason for my doubts. Some time or other I would tell him, but at present I could not. He said he remembered I had said so before and he had made a note of it. It was half past four before I had my audience. I began by referring to the topic which had last occupied us at the preceding meeting in August, the objection of Lord Palmerston to a report of certain language of his at our conference last year attributed to me by one of the commanders of our national vessels whom I had never seen or heard of. I read to him a part of a Despatch of Mr. Seward on the subject completely exonerating me from all share in the business, and promising to search out the source of the fable. Lord Russell said this was quite enough to dispense with the necessity of saying anything to Lord Lyons about it. I then seized this allusion to

[1] The formal despatch containing his report of this interview is printed in Diplomatic Correspondence, 1862, p. 223. Adams to Seward, October 24, 1862.

Lord Lyons to introduce my real object in the interview. I expressed the hope that he might be going out for a long stay. I had indeed been made of late quite fearful that it would be otherwise. If I had entirely trusted to the construction given by the public to a late speech I should have begun to think of packing my carpet bag and trunks. His Lordship at once embraced the allusion, and whilst endeavoring to excuse Mr. Gladstone, in fact admitted that his act had been regretted by Lord Palmerston and the other Cabinet officers. Still he could not disavow the sentiments of Mr. Gladstone so far as he understood them, which was not that ascribed to him by the public. Mr. G. was himself willing to disclaim that. He had written to that effect to Lord Palmerston. I replied that I had no intention to ask a disavowal, nor did I seek even to impute to Mr. Gladstone the construction of his language adopted by others. At the same time I saw its mischievous effects in aggravating the evil of the growing alienation of the two countries. Mr. Gladstone's speech would be published everywhere in America. It would therefore be regarded as an official exposition, and as such would aggravate the irritation already much too great. On the other hand, it formed a nucleus here around which all those adverse to peace with us would concentrate. Lord Lyons had called on me in the morning and we had joined in regretting the change going on here for the worse. Much as I had been disposed to friendly relations I was beginning to despair. His Lordship admitted the change in a degree, but he thought there was still a majority in any ordinary meeting well inclined. I said that it might be so now, but two more speeches like that of Mr. Gladstone would dissipate it all. His Lordship said that the policy of the government was to adhere to a strict neutrality, and to leave this struggle to settle itself. But he could not tell what a month would bring forth. I asked him if I was to understand that policy as not now to be changed. He said Yes. I answered that my errand was then finished. And I took my leave."

Remarks were made during the meeting by Messrs. CHARLES E. NORTON, WILLIAM R. THAYER, FRANKLIN B. SANBORN, and ARCHIBALD CARY COOLIDGE.



Horace Gray

MEMOIR

OF

HORACE GRAY, LL.D.

BY GEORGE F. HOAR.

It is the rare good fortune of the Historical Society to count among its members many famous judges. John Lowell, John Davis, Lemuel Shaw, George T. Bigelow, Theron Metcalf, Benjamin R. Curtis, Benjamin F. Thomas, E. Rockwood Hoar, Charles Devens, Walbridge A. Field, and Horace Gray make a list of men whose biography would be almost a thorough history of American jurisprudence since the adoption of the Constitution. Each of the men whom I have named well served the State in more than one department of usefulness, and would have been an eminent man, the particulars of whose life would have been worth recording, if he had never been upon the bench.

This is not mere accident. It is not, I think, because these men have been eminent citizens of Massachusetts, and the Society has always liked to reckon among its members eminent citizens of Massachusetts. It is largely because a great American judge must be penetrated with the spirit of American history. The capacity needed for a judge is the same with that needed for a historian. Each must be able to weigh evidence in an intellectual balance in which there is no dust and no local attraction. Each must have that rare but indispensable gift of discerning the truth of the fact in spite of the weight of the evidence. Each must be able to understand human nature and be able to attribute the true and rightful motive to human action. The historian must thoroughly understand the laws of the people whose chronicles he is to write, or he never can comprehend their history. The judge must thoroughly understand the history of the people whose justice he is to administer, or he never can comprehend

their laws. Each must be able, to use Emerson's phrase, to "scan truth and conduct with a cold eye," and each must be penetrated with an enthusiastic love of the country whose story he is to tell or whose law he is to declare.

Of course the gift of spirited and telling narrative, rising on fit occasion to the loftiest eloquence, must belong to the perfect historian. It is rarely, if ever, that the use of such a faculty would be becoming to a judge. His impression, if he have to state facts or to argue great principles, must be made by the clearness of his statement and the weight of what he says. In that respect the capacity of the historian is that of the advocate and not of the judge. Yet sometimes the style of the greatest historians has been eminently judicial, and, on some rare occasions, judges have risen to the highest eloquence in their judicial opinions.

Horace Gray was called to the bench too early in his career to have won much fame in any other field. Yet he had already abundantly proved his capacity as an advocate, as a historical investigator, as a scholar, and as a student of natural history. He did just enough in each of these fields to make his friends certain that he would have acquired fame there if he had not been devoted from his youth to the public duty to which he gave himself up with a singleness of purpose rare even among great judges.

The reader who does not belong to the profession of the law is not likely to take interest in a list of judicial decisions, however important the questions, or in a summing up of the arguments, however powerful, by which they were supported. Yet that is all that commonly makes up the biography of a judge, unless he was something else than a judge. So, what is wanted in the case of Chief Justice Gray, and the same was eminently true of Chief Justice Shaw, is not so much a biography as a portrait, — such a portrait, if any one living could be found to achieve it, as that contributed to our proceedings by our lamented associate Judge Thomas, of his friend and associate Lemuel Shaw, — a sketch, in the judgment of the writer, not surpassed by anything of its kind in literature.

The intellectual and moral qualities and the tastes which made Judge Gray eminent among the lawyers of Massachusetts and of the country, from the time of his admission to the bar until his death, came to him by lawful inheritance.

Horace Gray was born in Boston, March 24, 1828. He was the son of Horace Gray and Harriet Upham, daughter of Jabez Upham, of Brookfield, Massachusetts, and the grandson of William Gray and his wife Elizabeth Chipman.

Elizabeth Chipman was the daughter of John Chipman who was graduated at Harvard in 1738. He was a barrister in Essex County and died in Portland, then Falmouth, while arguing a case, in 1768.

Elizabeth Chipman's brother was Ward Chipman, Judge of the Supreme Court of New Brunswick, who was graduated at Harvard in 1770 and died in 1824. The son of Ward Chipman was graduated at Harvard in 1805, got his degree of LL.D. in 1836, and was Judge and Chief Justice of the Supreme Court of New Brunswick. He died in 1851 without issue.

William Gray was a very important figure in New England in the days just preceding and just following the War of 1812. He was the largest ship-owner in the country, and nearly or quite the foremost and most successful merchant in New England. He was Lieutenant-Governor of Massachusetts. He was a man apt to succeed in any undertaking in which he was engaged. Many anecdotes are still current of his wise and racy sayings. He acquired a great fortune, which he left to his children.

His sons were, all of them, men of mark and influence in Boston.

Horace Gray's father, Horace Gray the elder, was extensively engaged in business as a manufacturer. One of his uncles, Francis C. Gray, whose tastes and capacity for historical and legal research resembled his own, led a life of studious leisure. He had a high reputation as an accomplished scholar. To him was owing the discovery of the precious Body of Liberties of Massachusetts, enacted in 1641. It had long disappeared from the knowledge of men, until by a fortunate accident Mr. Gray discovered the old manuscript, which his historic knowledge enabled him to identify. This code — which has been practically in force in Massachusetts from the time of its enactment until to-day — was not printed, but was sent about among the towns of Massachusetts in manuscript, that it might escape the knowledge of the Royal Councillors in England and so not be disapproved by the Crown.

On the mother's side Judge Gray was the grandson of

Jabez Upham, one of the great lawyers of his day, who died in 1811, at the age of forty-six, after a brief service in the National House of Representatives. He was settled in Brookfield, Worcester County. The traditions of his great ability were fresh when I went there to live, nearly forty years after his death. The memory of the beauty and sweetness and delightful accomplishment of Mr. Upham's daughter, Judge Gray's mother, who died in the Judge's early youth, was still fragrant among the old men and women who had been her companions. She is mentioned repeatedly in the letters of that accomplished Scotch lady — friend of Walter Scott and of so many of the English and Scotch men of letters in her time — Mrs. Grant of Laggan. Mrs. Grant says in a letter published in her Memoir: "My failing memory represents my short intercourse with Mrs. Gray as if some bright vision from a better world had come and, vanishing, left a trail behind." In another letter she speaks of the enchantment of Mrs. Gray's character: "Anything so pure, so bright, so heavenly, I have rarely met with."

Judge Gray married, June 4, 1889, Jane Matthews, daughter of the late Stanley Matthews, Associate Justice of the Supreme Court of the United States.

Horace Gray was graduated from Harvard College in 1845; from the Harvard Law School in 1849; studied law with Sohier & Welch; was admitted to the bar in 1851; performed the duties of Reporter of the Supreme Court of Massachusetts in behalf of Luther S. Cushing for a year or two during Mr. Cushing's illness; was appointed Reporter to succeed Mr. Cushing in 1854; held that office until 1861; practised law in partnership with Ebenezer Rockwood Hoar and Edward Bangs from 1857 to 1859, when that partnership was dissolved by Mr. Hoar's appointment to the Supreme Court; continued in practice at the Suffolk bar until August, 1864; was appointed Associate Justice of the Supreme Judicial Court of Massachusetts, August 23, 1864; Chief Justice of that Court, September 5, 1873; commissioned an Associate Justice of the Supreme Court of the United States, December 20, 1881. His oath of office as Associate Justice of the Supreme Court of the United States, by the operation of the Constitution of Massachusetts, vacated his office of Chief Justice, January 9, 1882.

He was in his seat in the Supreme Court of the United States for the last time Monday, February 3, 1902. On the evening of that day he had a slight paralytic shock, which seriously affected his physical strength. He retained his mental strength and activity unimpaired until just before his death. On the 9th day of July, 1902, he sent his resignation to the President, to take effect on the appointment and qualification of his successor. So he died in office, September 15, 1902.

He became a member of the Massachusetts Historical Society, April 11, 1858, and of the American Antiquarian Society, October 22, 1860. He was a candidate in the Massachusetts State Convention of 1860 for the Republican nomination for Attorney-General, in competition with Charles Devens and Dwight Foster. Mr. Foster was the successful competitor.

Judge Gray's professional and judicial life came at the time of a radical change in the education of lawyers, as well as in the method of administering justice and the style and fashion of judicial opinions. The old lawyer and the old judge began his education by obtaining, as far as might be, a mastery of legal principles. In general his first inquiry was, if any legal problem were presented to him, if it were a question of common law, "What is the just general rule?" If it were the question of the construction of a statute, "What construction of the statute will make of it a just general rule?" In applying the common law to any state of facts he took it for granted that the common law was the perfection of reason, and that it contained what the experience of ages had found to be the most just and convenient rules of conduct for mankind in dealing with each other in matters concerning property, or reputation, or liberty, or life. When the student, or the counsellor at law, or the judge had made up his mind on that, he then considered the adjudged cases with the view of fortifying his own opinion by their authority. If he found them in conflict with that opinion, before yielding to them, he did his best to reconcile them with his idea of justice, to limit and restrict them as far as possible and, unless the current of authority were too strong, to get them overruled if they were wrong. The study of law was a study of ethics or moral philosophy.

The Law School in Judge Gray's youth had, under Ashmun and Story and Greenleaf and Parker, been brought to a high standard of excellence. But still the chief law school was the court-house, and the best place to study was the office of a great practising lawyer. The art of conducting a trial, of convincing courts or juries, of putting in a case, the difficult art of cross-examination, the more difficult art of refraining from cross-examination were learned by great examples. It was always a good excuse for a young lawyer's absence from his office if there were a notice on his door, "At the Court House."

The old teachers in the Law School taught their pupils according to the old system. It was indeed an admirable place for study. The youth sat at the feet of great men who had been great judges and great advocates and who had won great forensic successes. Story and Parker and Greenleaf fought over again the battles of the court-house and told the story of great victories which they had witnessed and which they had shared. The young men argued cases in the law clubs and in the Moot Court, over which these great judges presided. They breathed nothing but a legal atmosphere. They discussed legal questions at the table, at their boarding-house, in their long walks, and in visiting each other's rooms, where they sat up together sometimes until the constellations set, with the time-consuming habits of youth. In all this education the reasoning power was concerned with, and developed by, the consideration of general principles, and the adjudged cases played a comparatively small and secondary part.

All this is changed now. I do not undertake here to deny that the change has not been necessary or that it has not been a change for the better. With the change Judge Gray, though never, I believe, a teacher of law, had much to do. Although he was brought up and educated under the old system, he is one of the very best examples of the new system.

Mr. Gray never held a political office and, so far as I know, never took an active part in any political campaign. But he was profoundly interested in the great public questions with which the American people had to deal in his lifetime. There were among his near kindred, in his youth, men of great ability and high character, very influential and eminent leaders

of the Whig Party. They were men especially likely to influence a youth just coming to manhood, especially if he were brought within the circle of their personal influence. The social life of Boston and the scholarship of Cambridge were on that side. Yet Gray was an original Free Soiler. He had a high personal regard for Mr. Winthrop, with whom he had a family connection. But he voted steadfastly for John G. Palfrey, whose candidacy was peculiarly repugnant to the Whigs, and to the high social circles in Boston and Cambridge, because he had refused, when a Whig Representative, to support Mr. Winthrop for Speaker. The fires of those old controversies are all extinguished now. But it required great independence and great courage for a young man like Gray, just coming into professional life in Boston, to take his part on that unpopular side. Gray never lost his interest in political affairs so long as he lived. Yet he carefully maintained the propriety and impartiality of his great judicial office. Nobody ever thought of him as a political judge. I suppose that if political or personal feeling or desire could have entered into such a question with him, it would have gratified him beyond measure if he could have found it in his power, as a judge, to have pronounced the action of the Government in regard to the Philippine Islands unlawful and unconstitutional.

Horace Gray was graduated from Harvard at the age of seventeen. When in college he was not specially eminent as a scholar, but very early developed a taste for natural history. He was an excellent botanist, and might fairly be called a learned ornithologist. He visited Europe several times in his youth. I suppose that with his father's large wealth, which was employed in manufacture, it was the son's expectation to lead a life of elegant leisure, without anxiety as to his own livelihood, and in the pursuit of a refined scholarship. But the large establishments in which Mr. Gray's property was embarked were overtaken by financial reverses; so his whole wealth, inherited and acquired by himself, was swept away.

The son got the news in Europe and hurried home to meet the new conditions in a brave and manly way. He exchanged his rare library of books on natural history for law books, and came out to Harvard and entered his name in the Harvard Law School. I can remember now his wistful face, full of curiosity and intelligence, as he appeared at the door

of my room early one morning to find out, if he could, what this, which was a new world to him, was all about. He threw himself into the study of the law with an untiring industry, begotten of deep enthusiasm. He soon took his place among the best scholars of the Law School, which was then full of the traditions of Story, who had just died, and of Greenleaf and Parker and the younger Parsons and Franklin Dexter, who were his instructors.

His memory had been trained by his study as a naturalist to remember names which had in general no scientific connection with the things they signified. From that, I suppose, came his wonderful capacity for remembering the names of cases, which used to seem in his younger days little less than miraculous.

Shortly after he was admitted to the bar, it happened that Mr. Luther S. Cushing, the reporter of the decisions of our Massachusetts Supreme Court, broke down in health. He employed Mr. Gray to go on the circuit with the Judges and report the decisions. So he, in fact, prepared the final volumes of Cushing's Reports. He had already acquired a great stock of learning for a man of his age. Even then his wonderful capacity for research, the instinct which, when some interesting question of law was up, would direct his thumb and finger to some obscure volume of English reports of law or equity, was almost like the scent of a wild animal or bird of prey. He got acquainted on the circuit with all the great Massachusetts lawyers of that day — Choate and Curtis and Bartlett and Charles Allen and Loring. I suppose no other bar in the country, except that of the Supreme Court of the United States, could show their equals, and they had no superiors even there. When any one of these men was arguing or was waiting to argue a great case, the young reporter would often appear to him with a case which the counsel had not discovered, and was pat to the question. So, although he was hardly out of his boyhood, they all got to like him as a companion and to respect him as a lawyer. When Cushing died most of these leaders joined in a recommendation of Gray, who was then but twenty-six years old.

That office in Massachusetts in those days was one of great honor and dignity. It would have been regarded as a promotion by any judge of any court but the highest. And the

man who held it ranked almost as an equal with the Judges of the Supreme Court. Four of our reporters have been appointed to that bench since I came to the bar.

The duties of his office did not leave Mr. Gray a great deal of time for the active general practice of his profession. But he was employed on some very important commercial cases. He made several constitutional arguments in leading cases, and his advice was much trusted by business men. When the war broke out in 1861, Governor Andrew depended very largely upon Gray for legal advice in the very difficult and perplexing questions with which he had to deal. He was full of resources, courageous, and his advice was always safe and sure.

Immediately upon his admission to the bar, Mr. Gray took a place in the very front rank of his profession in the Commonwealth of Massachusetts. He maintained it with a constantly increasing reputation until he was appointed to the bench. His name first appears as counsel before the full bench of the Supreme Court in Pond *v.* Williams, 1 Gray, 630, argued at Worcester, in the October term, 1854. His last appearance was in Wales *v.* China Insurance Company, 8 Allen, 380, argued in Suffolk in January, 1864. Including these two, he argued thirty-one cases before the full court.

These cases, with scarcely an exception, were cases of great importance by reason either of the amount involved or the character of the question. In nearly every one of them Mr. Gray was opposed by counsel of the very first rank, and in nearly every one of them he made the principal argument on his own side. In the first case in which he appeared he was, alone, opposed to Charles Allen, who, in the opinion of many persons, had no superior in his time in intellectual power. In the third of the cases he was opposed, alone, to Sidney Bartlett and C. B. Goodrich, and in the fourth and sixth to Rufus Choate. Among his antagonists in the thirty-one cases were Otis P. Lord, A. A. Ranney, Sidney Bartlett, B. R. Curtis, C. B. Goodrich, Benjamin F. Thomas, T. L. Nelson, A. H. Fiske, I. F. Redfield, John Lowell, Dwight Foster, and John H. Clifford. Any lawyer who will look at the names of the counsel employed in these cases will see that the young man must have been retained on the advice of experienced counsel who desired to get the best professional assistance to be had for their clients.

The questions raised in all of them were of interest and importance. Dearborn *v.* Ames involved the construction and constitutionality of the law transferring the jurisdiction previously invested in Commissioners of Insolvency who, under the Constitution, were required to be elected by the people at frequent periods, to Judges of Insolvency who, under the law creating that court, were to be appointed by the Governor and to hold office during good behavior. Whittenton Mills *v.* Upton, 10 Gray, 582, involved the question of the right of a corporation, established under the laws of Massachusetts, to form a partnership with an individual.

Among the best examples of Mr. Gray's thorough historical and legal research are the notes and appendix to the celebrated case of the Writs of Assistance relating to slavery in Massachusetts and the New England States, prepared by him in 1864 for Quincy's Reports, and the notes to the case of Commonwealth *v.* Roxbury, 9 Gray, 451, written in 1857. This latter exhausts the learning as to the title in this Commonwealth to flats bounding on the shore of the Commonwealth and great ponds, the interest of the Commonwealth and the easement of the public therein.

So it was natural when there came a vacancy on the Supreme Bench in 1864 to offer it to him. He was, I think, the youngest judge who had ever been appointed to that court. He maintained fully and without any diminution the great traditions which had come down from Parsons and Shaw and Bigelow, and their companions, — traditions which are as precious to the people of the Commonwealth and of which they are as proud as they are of their Puritan or Pilgrim or Revolutionary history.

The title which the kindness of our countrymen has given to Massachusetts, that of Model Commonwealth, I think has been earned largely by the character of her judiciary, and never could have been acquired without it. Among the great figures that have adorned that bench in the past, the figure of Judge Gray is among the most conspicuous and stately.

Judge Gray had from the beginning a reputation for wonderful research. Nothing ever seemed to escape his industry and profound learning. This was shown on a few occasions when he undertook some purely historical investigation, as in his notes on the case of the Writs of Assistance,

argued by James Otis and reported in Quincy's Reports, and his recent admirable address at Richmond, on Chief Justice Marshall. But while all his opinions are full of precedent and contain all the learning of the case, he was, I think, equally remarkable for the wisdom, good sense, and strength of his judgments. I do not think of any judge of his time anywhere, either here or in England, to whom the profession would ascribe a higher place if he be judged only by the correctness of his opinions in cases where there were no precedents on which to lean and for the excellent original reasons which he had to give. I think Judge Gray's fame, on the whole, would have been greater as a man of original power if he had resisted sometimes the temptation to marshal an array of cases, and had suffered his judgments to stand on his statement of legal principles without the authorities. He manifested another remarkable quality when he was on the bench of Massachusetts. He was an admirable Nisi Prius judge. I think we rarely have ever had a better. He possessed that faculty which made the jury, in the old days, so admirable a mechanism for performing their part in the administration of justice. He had the rare gift, especially rare in men whose training has been chiefly upon the bench, of discerning the truth of the fact in spite of the apparent weight of the evidence. The Supreme Court, in his time, had exclusive jurisdiction of divorces and other matters affecting the marital relations. The judge had to hear and deal with transactions of humble life and of country life. It was surprising how this man, bred in a city, in high social position, having no opportunity to know the modes of thought and of life of poor men and of rustics, would settle these interesting and delicate questions, affecting so deeply the life of plain men and country farmers, and with what unerring sagacity he came to the wise and righteous result.

The following account of Judge Gray's service upon the Supreme Court of Massachusetts has been kindly furnished for this memoir by Mr. Justice Loring: —

Judge Gray was a remarkably accurate lawyer and a man who was remarkably accurate in statement; but the characteristic of his opinions is the abundance of learning with which they are written. They fairly teem with it. His opinions contain an unusually good collection of cases, not only in Massachusetts but also in other States of the Union

and in England, and where the case admitted of it, a full statement of the history of the question. Where the history involved was that of the Colony or of the Province, he fairly revelled in pouring forth a wealth of quaint and antiquarian learning which make these opinions a matter of delight as well as of instruction. His first opinion (Pomeroy *v.* Trimper, 8 Allen, 398) is characteristic of much of his subsequent work. It is the first opinion of the full court for the September term in Berkshire, where he took his seat upon the bench. In it he discusses the question whether in replevin there must be an allegation of the value of the property replevied. He discusses the practice under the Massachusetts Colony, under the Plymouth Colony, and under the Province, bringing together a long collection of acts of the two Colonies, and of the Province. He notices the cases in which the value has been alleged and the connections in which the allegation might be important, although not necessary. After three pages of delightful and illuminating discussion, he points out that in the case under consideration the writ might have been amended, and that its omission was waived by a general rule of reference to referees, and therefore it was not necessary to decide the question. In the same case he disposes of the objection that a heifer was misdescribed as a cow by a case from the Year Book 26 H. VIII., p. 6, pl. 27, in which such a writ was held good, "for it may be that it was a heifer at the time of taking out the replevin and that it is now a cow."

The most surprising and almost incredible thing about Judge Gray's opinions is that, being written as if the days were forty-eight hours long, for him at any rate, he should have produced so many of them. During the nine years he was an associate justice he wrote 515 opinions, and during the eight years and four months that he was Chief Justice he wrote 852 opinions, making 1,367 opinions in seventeen years and four months. It is worthy of note that during the first eight of the nine years in which he wrote only 515 opinions, he wrote only three opinions less than his share, assuming that the share of the Chief Justice was no greater than that of an associate justice. During the last of these nine years a seventh justice was appointed in the middle of the year, and it would be difficult to make a comparison. The first year that he was Chief Justice he wrote 133 out of 484 opinions written by all seven justices, and during the next three years, 120 out of 427, 131 out of 415, and 105 out of 403, respectively, a good deal more than a quarter of all the opinions written during those four years, and making for those four years only 26 fewer opinions than were written by him during the nine preceding years. And this, too, when the court had not been relieved of its jurisdiction over actions of tort (as was done later by St. 1880, c. 28) or of its jurisdiction in cases of divorce (as was subsequently done by St. 1887, c. 332). That is to say, the Supreme Judicial

Court at this time was a court having a general common-law jurisdiction (where the amount involved was sufficiently large); it was the only court of equity; it was the only court for divorce, and it was the supreme court of probate.

One cannot but ask how Judge Gray could have written such opinions and so many of them in addition to his duties outside of work on the full court. In the first place, Judge Gray was a good lawyer. He did not make mistakes. In the second place, his devotion to his profession was like that of a holy priest to his religion. Again, his strength for mental work was enormous, and he had a memory which was phenomenal, — a memory which went not only to the fact that a point of law had been decided, but to how it had been decided, the name of the case where it had been decided, and the volume where that case was to be found. And, last and not least, he was one of those very rare men who have the facility of reading a page almost at a glance. After the summer of 1875 he always worked with the assistance of a young lawyer as a clerk. But during two and one-half of the four years in which he produced the largest number of opinions, he worked without any assistance, and it was in the first of these two in which the greatest number were written.

When the pressure of work outside of the full court is considered, it is almost incredible that Judge Gray should have written so many opinions, and so many opinions of the kind which he wrote. There are instances where a notable collection of cases is not accompanied by an analysis of them. Hill *v.* Boston, 122 Mass. 344 (itself a leading case), is an example of this. The wonder, however, is not that there are such cases, but, when all is considered, that there are not more of them.

Judge Gray wrote but one dissenting opinion during the seventeen years that he was on the State bench. It was in the case of Hinckley *v.* Cape Cod Railroad, 120 Mass. 257, 260. Judge Marcus Morton, one of the best common-law judges who ever sat on the bench, concurred in this dissent. Judge Gray was a judge with strong convictions as to law, and one cannot but infer that the reason why more dissenting opinions were not written by him was because he persuaded his associates to his way of thinking.

Weighed by the number of cases which stand out as landmarks, Judge Gray is in the front rank of the leaders. Saltonstall *v.* Sanders, 11 Allen, 446, and Jackson *v.* Phillips, 14 Allen, 539, on charitable trusts, are perhaps the most notable. Before he came to the bench, he made the law of flats his own in his note to Commonwealth *v.* Roxbury, 9 Gray, 503, and followed this up in his opinions in Richardson *v.* Boston, 13 Allen, 146, and Boston *v.* Richardson, 105 Mass. 351. The cases of Briggs *v.* Light Boats, 11 Allen, 157; Coombs *v.*

New Bedford Cordage Co., 102 Mass. 572; Richardson *v.* Sibley, 11 Allen, 65; Bronson *v.* Coffin, 108 Mass. 175; Haskell *v.* New Bedford, 108 Mass. 208, and Hill *v.* Boston, 122 Mass. 344; Exchange Bank *v.* Rice, 98 Mass. 288; Waters *v.* Stickney, 12 Allen, 1; Greenfield Savings Bank *v.* Stowell, 123 Mass. 196; Guild *v.* Butler, 127 Mass. 386; Gorham *v.* Gross, 125 Mass. 232; Clapp *v.* Ingraham, 126 Mass. 200; Low *v.* Elwell, 121 Mass. 309, are as familiar to the practising lawyer as household words. The difficulty is not in making this list, but in not making it too long for a notice of this kind.

Outside of the full court, Judge Gray's chief service was in establishing the jurisdiction and practice in equity, in improving the details of practice and making it uniform in the several counties, and more than all in maintaining in the conduct of the business of the court the dignity which marks court proceedings in this Commonwealth.

In 1864, when Judge Gray came on the bench, equity had been practised but little and the knowledge of it was scant. Judge Gray was an excellent judge on this side of the court. He took more than his share in equity sittings, and the minute oversight which he bestowed on the details of practice found in this new field an opportunity which has borne fruit for which the Commonwealth is much beholden.

In matters of practice, on both sides of the court, Judge Gray was a leader, not a follower. He knew the principles and the application of practice thoroughly, and it is not too much to say that no detail was too minute for his watchful oversight or too uncommon for his knowledge. He looked after practice as he did after the reports when he was Chief Justice. I have been told by one who was a reporter at the time that it was the custom of Judge Gray to read the proofs of all the opinions, and that he had the reporter leave proofs at his house as he went home at night, and call for them as he went to his office in the morning.

In the conduct of business in the court-room he was a strict disciplinarian. At times some members of the bar were restive under his rule. But he mixed kindness with discipline, and the ensuing benefit is fully recognized to-day.

And so it came to pass that when the place of Mr. Justice Clifford became vacant, by the almost universal consent of the New England Circuit, with the general approval of the profession throughout the whole country, Mr. Justice Gray became his successor.

The appointment was in fact made by President Arthur. In the spring of 1881, Mr. Justice Clifford, whose mental faculties had been seriously impaired, left Washington for his home in Maine. Before he left some of his family authorized

the statement to be made to President Garfield that the Judge was going home, and that his resignation would come to Washington directly after his arrival there. This was well known to the members of the Senate from the New England Circuit, and to other persons interested in the appointment of a successor. President Garfield took up the matter with the expectation of making the appointment very soon. But when Mr. Justice Clifford reached home he was unwilling to take the step of resigning, and it is said, although his mental health was not in fact restored, that he declared his hope of resuming his duties again. General Garfield's death took place shortly afterward. That of Mr. Justice Clifford soon followed.

President Garfield desired me to furnish him with a collection of what I thought were the Chief Justice's best opinions. I requested Judge Hoar, who had been Judge Gray's partner and who thought very highly of him indeed, to perform that service. He asked the Chief Justice if he would tell him what he regarded as his best and most important opinions. But Judge Gray suspected the motive of the request and declined to comply with it. He preferred, I have no doubt, to have absolutely nothing to do, directly or indirectly, with influencing his own selection to that great office.

The appointment was received with almost universal satisfaction by the bar and bench throughout the country. I have good reason to know that it gave special pleasure to his brethren of the Supreme Court of the United States, all of whom knew his great ability and learning, and some of whom knew him well in private.

The following statement of Mr. Justice Gray's service on the Supreme Court of the United States, by Hon. J. Hubley Ashton of the Bar of the District of Columbia, formerly associated with the late Attorney-General Hoar as Assistant Attorney-General, contains, as it seems to me, a biographical sketch of Judge Gray composed in a manner in which he himself would have most delighted, and such a sketch as he himself would have made if it had been committed to him to perform the same task for any other great jurist.

The service of Mr. Justice Gray in the Supreme Court of the United States extended from January 9, 1882, in October Term, 1881,

when he took the oath of office as Associate Justice under his commission bearing date December 19, 1881, until his death on September 15, 1902. During that period Chief Justice Waite and Chief Justice Fuller successively presided over the court, and the other Associate Justices at different times were Justices Miller, Field, Bradley, Hunt, Harlan, Woods, Matthews, Blatchford, Lamar, Brewer, Brown, Shiras, Jackson, White, Peckham, and McKenna. On January 30, 1882, he was allotted to the First Judicial Circuit, composed of Maine, New Hampshire, Massachusetts, and Rhode Island, which he always retained; becoming when in attendance the head of the Circuit Court of Appeals for that circuit under the provisions of the Judiciary Act of March 3, 1891, known as the Evarts Act, which distributed the entire appellate jurisdiction of the national judicial system between the Supreme Court of the United States and the new Circuit Courts of Appeals, and made the judgments of the latter courts final except in extraordinary cases. He presided at the first meeting of the Circuit Court of Appeals for the First Circuit, at Boston, on June 16, 1891, sitting with Colt, Circuit Judge, and Nelson and Webb, District Judges, and took part in the hearing and decision of several of the first cases determined by that court.

The opinions delivered by him from the bench of the Supreme Court of the United States during the term of his service there, are to be found in eighty-one volumes of the Reports of the court, from 104 U. S. to 184 U. S. inclusive, and number some four hundred and fifty-one, including ten dissenting opinions in which he stated at length the grounds of his disagreement with the majority of the court in important cases. In forty-one other cases, in which he dissented from the judgments of the court, he prepared or filed no opinions, simply stating the fact of his dissent or expressing his concurrence in the opinions delivered by other dissenting justices.

It thus appears that during his twenty-odd years of service in the court he deemed it necessary or proper to announce publicly his dissent from the judgments rendered by it in fifty-nine cases only. This is a small proportion of dissents, as the cases adjudged by the court upon reasoned opinions during that period numbered several thousands. It was probably his rule, where he disagreed with the majority of his brethren, not to announce his dissent except in cases of general interest, and to prepare opinions stating at length the grounds of his disagreement only in cases of public importance.

The opinions delivered by him for the majority of the court in the prize case of The Paquete Habana, 175 U. S. 677 (1899), and the case of Hilton *v.* Guyot, 159 U. S. 113 (1894), are among the most learned and noteworthy of his writings, and among the most memorable judgments in the books on great questions of international jurisprudence.

In The Paquete Habana it was determined by the court that at the present day, by the general consent of the civilized nations of the world, and independently of any express treaty or other public act, it is an established rule of international law, founded on considerations of humanity to a poor and industrious order of men, and of the mutual convenience of belligerent states, that coast fishing vessels, with their implements and supplies, cargoes and crews, unarmed and honestly pursuing their peaceful calling of catching and bringing in fresh fish, are exempt from capture as prize of war.

The opinion of Mr. Justice Gray is a profound study of a difficult and most interesting question in the modern law of maritime prize in view of the just and humane sentiments of civilized nations in our times, and containing as it does the body of the public jurisprudence on the subject, this judgment must find a place in any future collection of leading cases on International Law.

The case of Hilton *v.* Guyot, argued three times at the bar, involved important questions of private international law relating to the force and effect of foreign judgments not theretofore adjudicated by the Supreme Court of the United States, and his opinion, with that of the dissenting justices, has been included in the third volume of Professor Beale's valuable "Selection of Cases on the Conflict of Laws," containing the leading authorities on the subject of the recognition and enforcement of rights.

In this reference to some of the noteworthy judgments of Mr. Justice Gray on questions of international law, may be mentioned the elaborate dissenting opinion delivered by him at October Term, 1901, in the important case of Tucker *v.* Alexandroff, 183 U. S. 424, 449, in which he expressed his view that the authorities of the United States had no power, under the treaty with Russia of 1832 or otherwise, to surrender the appellee as a deserter from the Variag under construction for the Russian Government at Philadelphia.

"The treaties of the United States with Russia and with most of the nations of the world," he said, "must be considered as defining and limiting the authority of the Government of the United States to take active steps for the arrest and surrender of deserting seamen. These treaties must be construed so as to carry out, in the utmost good faith, the stipulations therein made with foreign nations. But neither the executive nor the judiciary of the United States has authority to take affirmative action, beyond the fair scope of the provisions of the treaty, to subject persons within the territory of the United States to the jurisdiction of another nation."

The judgment delivered by him for the majority of the court in the great case of United States *v.* Wong Kim Ark, 169 U. S. 649 (1897), and his judgments for the whole court in the leading cases of Van

Brocklin *v.* State of Tennessee, 117 U. S. 151 (1885), Jones *v.* United States. 137 U. S. 202 (1890), Shively *v.* Bowlby, 152 U. S. 1 (1893) and Belknap *v.* Shield, 161 U. S. 10 (1895), are among the most interesting of his opinions in important cases involving general questions of constitutional law.

The case of United States *v.* Wong Kim Ark presented a momentous question in the public law of the United States respecting the source and foundation of the principles of American nationality, and the interpretation and effect of that clause of the Fourteenth Amendment of the Constitution which declares that "all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the States wherein they reside."

It was adjudged by the Court that under the Constitution a child born in the United States of parents of Chinese descent, who at the time of his birth are subjects of the Emperor of China, but have a permanent domicile and residence in the country, and are there carrying on business, and are not employed in any diplomatic or official capacity under the Government of China, becomes, when born, a citizen of the United States.

The case of Van Brocklin *v.* Tennessee finally determined that all property of the United States is absolutely exempt by the Constitution from taxation under the authority of any State without the consent of the United States.

The judgment in Jones *v.* United States sustained the constitutionality of the Guano Islands Act of August 16, 1856, c. 164, and affirmed the validity of a conviction in the District Court of the United States for the District of Maryland for a murder committed at the Island of Navassa.

The opinion in Shively *v.* Bowlby is an exhaustive treatment of the subject of the rights of the States of the Union in the tide waters and the lands under them, within their respective jurisdictions, and adjudged that a donation claim bounded by the Columbia River, acquired under the Act of Congress of September 27, 1850, c. 76, while Oregon was a Territory, passed no title or right in lands below high-water mark, as against a subsequent grant from the State of Oregon, pursuant to its statutes.

In Belknap *v.* Shield it was finally adjudged by the court that officers and agents of the United States, although acting under order of the United States, are personally liable to be sued for their own infringement of a patent.

The opinion delivered by Mr. Justice Gray in that case contains a careful statement of the decision in United States *v.* Lee, hereinafter referred to, in which he dissented from the opinion of the majority of the court.

It is difficult to discriminate and select, where there is such wealth of material, for the purpose of the present statement, but the most noteworthy, perhaps, of his later judgments for the court in cases involving general and important questions of constitutional law, are those he delivered in Atherton *v.* Atherton, 181 U. S. 155 (1900), and Bell *v.* Bell, ib. 175, which conclusively determined that no valid divorce from the bond of matrimony can be decreed on constructive service by the courts of a State in which neither party to the suit is domiciled; Carter *v.* Texas, 177 U. S. 442 (1899), declaring that whenever, by any action of a State, whether through its legislature, its courts, or its executive or administrative officers, persons of the African race are excluded solely because of their race or color from serving as grand jurors in the prosecution of a person of that race for crime, the equal protection of the laws is denied to him, contrary to the Fourteenth Amendment of the Constitution of the United States; and Capital Traction Company *v.* Hof, 174 U. S. 1 (1898), where he elaborately examined the whole subject of "trial by jury" at the common law, in the American constitutions, and as secured by the Seventh Amendment to the Constitution of the United States.

In the important case of Illinois Central Railroad *v.* Illinois, 146 U. S. 387, 464 (1892), he concurred in the dissenting opinion of Mr. Justice Shiras declaring "that the ownership of a State in the lands underlying its navigable waters is as complete, and its power to make them the subject of conveyance and grant is as full, as such ownership and power to grant in the case of the other public lands of the State."

He delivered an interesting dissenting opinion in United States *v.* Rodgers, 150 U. S. 249, 266 (1893), expressing his view that the open waters of the Great Lakes are not "high seas" within the meaning of sec. 5346 of the Revised Statutes of the United States on which the indictment in that case was founded, although "within the admiralty jurisdiction of the United States" under the decision in The Genesee Chief, and Congress had undoubted power to punish crimes on American vessels, wherever they may float.

One of the most elaborate of his constitutional opinions is his dissent of seventy-one pages, concurred in by Mr. Justice Shiras, in the important case of Sparf and Hansen *v.* United States, 156 U. S. 51, 110 (1894), in which he maintained that by the instructions of the court to the jury the defendants on trial in the Circuit Court of the United States for murder on the high seas, were deprived of their right to have the jury decide the law involved in the general issue.

"The jury," he said, "must ascertain the law as well as they can. Usually they will, and safely may, take it from the instructions of the court. But if they are satisfied in their consciences that the law is

other than as laid down to them by the court, it is their right and their duty to decide the law as they know or believe it" (p. 172).

He concurred, with Mr. Justice White, in the dissenting opinion written by Mr. Justice Shiras in the important case of Brown *v.* Walker, 161 U. S. 591, 610 (1895), to the effect that the Fifth Amendment of the Constitution, declaring that no person should be compelled in any criminal case to be a witness against himself, intended not merely that every person should have such indemnity, but that his right thereto should not be divested or impaired by any Act of Congress, and that the provision of the Act of February 11, 1893, c. 83, involved in that case, was void because incompatible with this great constitutional guaranty.

The strong views held by Mr. Justice Gray in regard to the sovereignty of the United States, and its relation to the citizen, early appeared in his well-known dissenting opinion in the celebrated case of United States *v.* Lee, 106 U. S. 196, 223 (1882), which was the first important opinion delivered by him from the bench of the Supreme Court. The majority of the court having affirmed the jurisdiction of the Circuit Court below to try the question of the validity of the title of the United States to the Arlington estate, in Virginia, under a sale for direct taxes by the Commissioners appointed under the Act of Congress of June 7, 1862, ch. 98, in an action of ejectment against the officers and agents of the United States in possession and occupation of the premises, Mr. Justice Gray, with Chief Justice Waite, and Justices Bradley and Woods, dissented upon the grounds that the action was in legal effect a suit against the United States as sovereign, that the fundamental maxim of public law exempting the sovereign from being impleaded without its consent, is not limited to a monarchy, but is of equal force in a republic, and applies to the United States as well as to the Crown of England, and that to maintain the action was to encroach upon the powers of the legislative and executive departments of the government.

This opinion is the more noteworthy as it was the doctrinal precursor in a measure of his celebrated opinion, at the next term, in the most important case that had ever been in the court since the foundation of the government, the case of Juilliard *v.* Greenman, known as the Legal Tender Case, 110 U. S. 421 (1883), in which it was finally adjudged that Congress has the constitutional power to make the treasury notes of the United States a legal tender in payment of private debts, in time of peace as well as in time of war, and that under the Act of May 31, 1878, ch. 146, providing that when any United States legal tender notes may be redeemed and received into the treasury they shall be reissued and paid out again, notes so reissued are a legal tender.

This was the last of the great legal tender litigations, and the de-

cision no doubt carried the implied powers of Congress under the Constitution beyond any point theretofore reached by the court in its adjudications.

"Congress," said Mr. Justice Gray, "as the legislature of a sovereign nation, being expressly empowered by the Constitution 'to lay and collect taxes, to pay the debts and provide for the common defence and general welfare of the United States,' and 'to borrow money on the credit of the United States,' and 'to coin money and regulate the value thereof and of foreign coin'; and being clearly authorized, as incidental to the exercise of those great powers, to emit bills of credit, to charter national banks, and to provide a national currency for the whole people, in the form of coin, treasury notes, and national bank bills; and the power to make the notes of the government a legal tender in payment of private debts being one of the powers belonging to sovereignty in other civilized nations, and not expressly withheld from Congress by the Constitution; we are irresistibly impelled to the conclusion that the impressing upon the treasury notes of the United States the quality of being a legal tender in payment of private debts is an appropriate means, conducive and plainly adapted to the execution of the undoubted powers of Congress, consistent with the letter and spirit of the Constitution, and, therefore, within the meaning of that instrument, 'necessary and proper for carrying into execution the powers vested by this Constitution in the Government of the United States.'"

The opinion, as is well known, was concurred in by Chief Justice Waite, and all the other Associate Justices except Mr. Justice Field.

The same general constitutional doctrine in respect to the powers of the United States, as a nation among nations, lies at the foundation of his opinion in Nishimura Ekiu *v.* United States, 142 U. S. 651 (1891), affirming the validity of the Act of March 3, 1891, c. 551, forbidding certain classes of alien immigrants to land in the United States, and of his judgment for the majority of the court in the leading Chinese Deportation Cases, reported as Fong Yue Ting *v.* United States, 149 U. S. 698 (1892), which upheld the constitutionality of the Act of Congress of May 5, 1892, ch. 60, known as the Geary Act, as a law for the expulsion from the country of certain resident Chinese aliens, upon the ground that the right to exclude or expel aliens, or any class of aliens, in war or in peace, is an inherent and inalienable right of every sovereign and independent nation, and in the United States is vested in the political department of the National Government, and may be exercised entirely through executive officers, or Congress may call in the aid of the judiciary to ascertain any contested fact on which an alien's right to be in the country has been made by Congress to depend.

Chief Justice Fuller and Justices Field and Brewer dissented in separate and extended opinions from the judgments of the court in the

latter cases. Mr. Justice Harlan, being absent abroad, took no part in the hearing and decision of the cases, although the fact appears not to be mentioned by the Reporter.

It may be proper to classify with the judgments of Mr. Justice Gray in these great constitutional cases, with respect to the sovereignty of the United States and its powers of government under the Constitution, his very brief opinions in the so-called Insular Cases, in which he affirmed the constitutionality of the Foraker Act of April 12, 1900, ch. 191, in respect to the system of duties established by the Act for Porto Rico, and dissented from the ruling in De Lima *v.* Bidwell, and Fourteen Diamond Rings *v.* United States, as to the status of that island, and the Philippine Islands, after and in consequence of the ratification of the Treaty of Peace between the United States and Spain, April 11, 1899. 182 U. S. 344 (1900), 183 U. S. 185 (1901). As stated in his short opinion of two pages and a half in Downes *v.* Bidwell respecting the Foraker Act, he agreed "in substance" with the elaborate opinion delivered by Mr. Justice White in that important case. He also concurred in the dissenting opinion of Mr. Justice White in Dooley *v.* United States, 182 U. S. 236 (1900), that the right to exact duties upon imports from New York to Porto Rico did not cease with the ratification of the Treaty of Paris.

He delivered the judgment of the court in Logan *v.* United States, 144 U. S. 263 (1891), reaffirming the doctrine of the case of Neagle, 135 U. S. 1, that "every right, created by, arising under, or dependent upon, the Constitution of the United States, may be protected and enforced by Congress by such means and in such manner as Congress, in the exercise of the correlative duty of protection, or of the legislative powers conferred upon it by the Constitution, may in its discretion deem most eligible and best adapted to attain the object."

"The United States," he said, "are bound to protect against lawless violence all persons in their service or custody in the course of the administration of justice. This duty and the correlative right of protection are not limited to the magistrates and officers charged with expounding and executing the laws, but apply, with at least equal force, to those held in custody on accusation of crime, and deprived of all means of self-defence."

The doctrine was again affirmed by him, speaking for the court, in the case of Quarles and Butler, Petitioners, 158 U. S. 532 (1894), where he declared: "The United States are a nation, whose powers of government, legislative, executive, and judicial, within the sphere of action confided to it by the Constitution, are supreme and paramount."

It may be proper to mention, in this connection, that he was one of the majority of the court in the decision of Pollock *v.* Farmers' Loan and Trust Company, 157 U. S. 429, 158 U. S. 601 (1894), which

declared the Income Taxes imposed by the Act of August 15, 1894, unconstitutional, and no doubt concurred in the reasoning of the opinions of the court, delivered by Chief Justice Fuller, in that celebrated case.

While he entertained strong views in regard to the sovereignty and powers of the National Government, Mr. Justice Gray, as his judicial writings show, upheld with a firm and no uncertain hand the legislation of the States in regard to the subjects deemed by him within their jurisdiction and authority under the powers reserved to them by the Constitution of the United States.

He concurred, with Chief Justice Waite, in the dissenting opinion of Mr. Justice Bradley in Wabash, etc. Railway Company *v.* Illinois, 118 U. S. 557 (1886), that in the absence of congressional legislation a State legislature possesses the power to regulate the charges made by the railroads of the State for transporting goods and passengers to and from places in the State, when such goods or passengers are brought from, or carried to, points without the State, and are therefore in the course of transportation from another State, or to another State, although such a regulation incidentally operates to a certain extent as a regulation of interstate commerce.

He also concurred in the dissenting opinion of Mr. Justice Bradley in Chicago, etc. Railway Co. *v.* Minnesota, 134 U. S. 418 (1889), in favor of the constitutionality of the Minnesota Statute of 1887, regulating, through a railroad commission, the rates of charges on railways, as not depriving the company of its property without due process of law or denying it the equal protection of the laws.

He also dissented, with Chief Justice Fuller and Mr. Justice McKenna, from the judgment of the majority of the court in Lake Shore, etc. Railway Company *v.* Smith, 173 U. S. 684 (1898), declaring invalid an Act of the State of Michigan which required railroad companies to keep for sale at a price not exceeding a certain sum one thousand mile tickets that should be valid for a prescribed time, as in violation of the rights of the companies under the Constitution of the United States.

At October Term, 1895, Mr. Justice Gray delivered the unanimous opinion of the court in Illinois Central Railroad Company *v.* Illinois, 163 U. S. 142, declaring unconstitutional the statute of Illinois, there involved, in its application to that company, as directly burdening interstate commerce, and obstructing the passage of the mails of the United States.

At the next term he delivered the judgment of the court in Gladson *v.* Minnesota, 166 U. S. 427 (1896), holding that a statute of that State requiring all regular passenger trains, running wholly in the State, to stop at stations at all county seats through which they might

pass, was a lawful exercise of the police power of the Legislature, and not a regulation of interstate commerce.

He was one of the majority of the court in the decision of the later and important case of Lake Shore and Michigan Southern Railway Company *v.* Ohio, 173 U. S. 285 (1898), which sustained the legislation of the State of Ohio requiring every railroad company to stop a certain number of its passenger trains at stations containing three thousand inhabitants, as not repugnant to the Constitution when applied to interstate trains carrying interstate commerce.

Such legislation he did not regard as directly burdening or impeding interstate traffic, or impairing the usefulness of facilities for such traffic.

In St. Louis & San Francisco Railway Company *v.* Matthews, 165 U. S. 1 (1896), he wrote the elaborate opinion of the court sustaining the Missouri Statute of 1887 making every railroad corporation owning or operating a railway in the State responsible in damages for property of any person destroyed or injured by fire communicated by its locomotive engines, as a valid exercise of the police power of the State.

In his well-known dissenting opinion in the leading case of Leisy *v.* Hardin, 135 U. S. 100 (1889), Mr. Justice Gray affirmed the validity of a statute of Iowa prohibiting the sale of intoxicating liquors, except for limited purposes under State license, as applied to a sale by the importer, in the original packages, of such liquors manufactured in and brought from another State, against the judgment of the court, delivered by the Chief Justice, which treated the early case of Peirce *v.* New Hampshire, 5 Howard, 504, decided in 1847, as overruled.

"Congress," he said, "cannot regulate this subject under the police power, because that power has not been conceded to Congress, but remains in the several States; nor under the commercial power, without either prescribing a general rule unsuited to the nature and requirements of the subject, or else departing from that uniformity of regulation which it was the object of the commercial clause of the Constitution to secure."

After the decision in Leisy *v.* Hardin, and, perhaps, in consequence of the dissent, in that case, Congress passed the Act of August 8, 1890, ch. 728, commonly known as the Wilson Act, providing that all intoxicating liquors transported into any State, in the original packages or otherwise, should upon arrival be subject to the operation of its laws in the exercise of its police power.

He concurred in the judgment of reversal in Rahrer's Case, 140 U. S. 545 (1890), which affirmed the validity of the Wilson Act, though not in all the reasoning of the opinion of the Chief Justice.

The history of the adjudications, in these important cases, was reviewed by him in his dissenting opinion in Rhodes *v.* Iowa, 170 U. S.

412 (1897), the judgment in which appeared to him to deny due effect to the police power, reserved to each State by the Constitution of the United States, and recognized by Congress, in the Wilson Act, which he was in favor of maintaining. He said, in that case: "The question whether the power of Congress to regulate commerce with foreign nations and among the several States is exclusive, or only paramount, was a subject of much diversity of opinion from an early period until 1851, when this court, speaking by Mr. Justice Curtis, in Cooley *v.* Board of Wardens, 12 Howard, 299, laid down this principle: When the nature of the particular subject in question is such as to demand a single uniform rule, operating equally throughout the United States, the power of Congress is exclusive; but when the subject is of such a nature as to require different systems of regulation, drawn from local knowledge or experience, and conformed to local wants, it may be the subject of State legislation so long as Congress has not legislated. The principle there laid down has become fully recognized and established in our jurisprudence. Transportation Co. *v.* Parkersburg, 107 U. S. 691, 704; Crandall *v.* Nevada, 6 Wall. 35, 42; Mobile County *v.* Kimball, 102 U. S. 691, 701.

"Wherever, from the nature of the subject, the power of Congress to regulate commerce is exclusive, the several States, of course, cannot legislate, even if there has been no legislation by Congress; or, as the proposition has been stated in another form, 'where the power of Congress to regulate is exclusive, the failure of Congress to make express regulations indicates its will that the subject shall be left free from any restrictions or impositions; and any regulation of the subject by the States, except in matters of local concern only, is repugnant to such freedom.' Robbins *v.* Shelby Taxing District, 120 U. S. 489, 493.

"The theory that the bringing of intoxicating liquors from one State into another, and the selling of them there in the packages in which they had been introduced, are subjects requiring to be regulated by a national and uniform rule, and therefore within the exclusive power of Congress, and wholly free from State legislation, was not broached by any member of the court before the cases of Bowman *v.* Chicago and Northwestern Railway, 125 U. S. 465, and Leisy *v.* Hardin, 135 U. S. 100."

This is his own clear and comprehensive statement of his constitutional doctrine on the subject of the power of Congress to regulate interstate commerce.

At October Term, 1890, he dissented from the judgment of the court by Mr. Justice Bradley in Crutcher *v.* Kentucky, 141 U. S. 47, declaring void a law of Kentucky requiring from the agent of every express company, not incorporated by the State, a license before he could carry on any business for the company in the State, as a regulation of inter-

state commerce, and not a regulation in the fair exercise of the police power of the State.

He delivered, in 1894, the elaborate judgment of the court in Emert *v.* Missouri, 156 U. S. 296, affirming the validity of a statute of Missouri compelling itinerant peddlers to take out licenses.

At the same term he was one of the majority of the court in the decision of the case of Plumley *v.* Massachusetts, 155 U. S. 461, which sustained the Massachusetts statute of March 10, 1891, ch. 58, to prevent deception in the manufacture and sale of "imitation butter," in its application to the sales of oleomargarine artificially colored so as to cause it to look like butter, and brought into the State, as not in conflict with the commercial clause of the Constitution of the United States.

He dissented from the judgment of the majority of the court in the oleomargarine case of Schollenberger *v.* Pennsylvania, 171 U. S. 25 (1897), which pronounced invalid an Act of the Legislature of Pennsylvania to the extent that it prohibited the introduction of oleomargarine from another State and its sale in the original packages, and declared his opinion that "each State may, in the exercise of its police power, without violating the provisions of the Constitution and laws of the United States, concerning interstate commerce, make such regulations relating to all sales of oleomargarine within the State, even in original packages brought from another State, as the Legislature of the State may deem necessary to protect the people from being induced to purchase articles, either not fit for food, or differing in nature from what they purport to be; and that, if the Legislature is satisfied that oleomargarine is unwholesome, or that in the tubs or packages in which it is commonly offered for sale it looks so like butter that the only way to protect the people against injury to health in the one case or against fraud or deception in the other, is to absolutely prohibit its sale, it is within the constitutional power of the Legislature to do so." And in the next case of Collins *v.* New Hampshire, *ib.* 30, he expressed his dissent from the decision of the majority of the court adjudging to be invalid a statute of that State which prohibited the sale of oleomargarine as a substitute for butter, unless it was of a pink color, upon the ground that the statute was in contravention of the commerce clause of the Constitution of the United States.

He delivered the prevailing opinion in Pullman's Car Company *v.* Pennsylvania, 141 U. S. 18 (1890), which affirmed the power of the State of Pennsylvania to tax a proportion of the capital stock of the Pullman's Car Company, an Illinois corporation, as not in derogation of the commercial power of Congress, under the general principles that the legislative power of every State extends to all property within its borders, and that only so far as the comity of that State allows can such property be affected by the law of any other State.

He also delivered the judgment of the majority of the court in Massachusetts *v.* Western Union Telegraph Company, 141 U. S. 40 (1890), sustaining the legislation of the State of Massachusetts imposing a tax, which, though nominally upon the shares of the capital stock of the Telegraph Company, was in effect a tax upon the company on account of property owned and used by it in Massachusetts, as not in violation of the Constitution or the rights conferred upon the corporation by the National Telegraph Act of July 24, 1866, ch. 230.

He composed one of the majority of the judges in the determination of the important cases of Adams Express Company *v.* Ohio, 165 U. S. 194 (1896), and Adams Express Company *v.* Kentucky, 166 U. S. 171 (1896), which upheld the schemes of State taxation in respect to the property of the Express Company, there involved, as not in contravention of the Constitution.

In the great cases of United States *v.* Trans-Missouri Freight Association, 166 U. S. 290 (1896), and United States *v.* Joint Traffic Association, 171 U. S. 505 (1898), under the so-called Trust Act of July 2, 1890, Mr. Justice Gray dissented from the judgments of the majority of the court, and concurred in the dissenting opinion of Mr. Justice White, in the first of those cases, that the words "restraint of trade," in the Act, only embraced contracts which unreasonably restrain trade, and that the statute was not intended to interfere with the control and regulation of railroads under the Interstate Commerce Act or with acts of the companies which had theretofore been recognized as in conformity to and not in conflict with that Act.

The judgment delivered by him in Head *v.* Amoskeag Manufacturing Company, 113 U. S. 9 (1884), one of his early constitutional cases, sustained the general mill Act of the State of Massachusetts, authorizing lands to be flowed *in invitum* for the maintenance of mills, as not in violation of the Fourteenth Amendment of the Constitution.

The last of his important judgments was delivered in Nutting *v.* Massachusetts, 183 U. S. 553 (1901), in which he upheld as constitutional the rigorous penal provisions of the statute of Massachusetts designed to prevent foreign insurance companies from doing business within the limits of the State except upon such conditions as the State by the Act had prescribed.

It should be mentioned, in this connection, that he was one of the majority in the decision of the last case during his term of service involving the subject of the police power of the States and the power of Congress over interstate commerce, in which the court was divided, namely, Austin *v.* Tennessee, 179 U. S. 343 (1900), where it was held that it is within the province of a State legislature to declare how far cigarettes may be sold, or to prohibit their sale entirely, after they have been taken from the original packages or have left the hands of

the importer, if there be no discrimination against those imported from other States, and the Act is plainly designed for the protection of the public health, as the Tennessee Act under examination was adjudged to be. The Chief Justice, with Justices Brewer, Shiras, and Peckham, dissented from the opinion and decision of the court. In any view of that case, there would appear to be nothing in the decision itself inconsistent, at least, with the principles of the dissenting opinions of Mr. Justice Gray in Leisy *v.* Hardin, and Rhodes *v.* Iowa, which have been referred to, and it is not improbable that he voted for the affirmance of the judgment of the Supreme Court of Tennessee as right according to those principles.

It is manifest, from this brief review of his constitutional opinions, that it was the doctrine of Mr. Justice Gray that the Constitution, in all its provisions, looks to a sovereign nation composed of sovereign States.

He delivered, it may be mentioned, the opinions of the Supreme Court in a number of cases involving important questions relating to its original and appellate jurisdiction, which were evidently prepared with the care appropriate to the subject.

In Wisconsin *v.* Pelican Insurance Company, 127 U. S. 265 (1887), he comprehensively reviewed the adjudications of the court respecting the nature and extent of its original jurisdiction under the Constitution, and announced its decision that this jurisdiction did not embrace an action by a State upon a judgment recovered by it in one of its own courts against a citizen or a corporation of another State for a pecuniary penalty for a violation of its municipal law.

The opinions delivered by him in New Orleans Waterworks *v.* Louisiana Sugar Company, 125 U. S. 18, and Central Land Company *v.* Laidley, 159 U. S. 103, are among the leading authorities in the books on the subject of the extent of the appellate jurisdiction of the Supreme Court of the United States to review the judgments of the highest courts of the States under that clause of the Constitution which protects the obligation of contracts against impairment by any State "law."

During his period of service on the Supreme Bench, Mr. Justice Gray delivered judgments in a number of leading cases within the admiralty and maritime jurisdiction of the court, which possess in a marked degree the best qualities of his judicial writings, perfect clearness of thought, precision of statement, and accuracy of learning, and which seem to disclose his well-known fondness for the department of jurisprudence embraced by that jurisdiction.

Some of his noteworthy admiralty opinions, to mention a few only, will be found in The Potomac, 105 U. S. 630 (1881); Phœnix Insurance Company *v.* Erie Transportation Company, 117 U. S. 312 (1885);

Liverpool Steamship Company *v.* Phenix Insurance Company, The Montana, 129 U. S. 397 (1883); The J. E. Rumbell, 148 U. S. 1 (1892); Ralli *v.* Troop, 157 U. S. 386 (1894); The John G. Stevens, 170 U. S. 113 (1897); The Silvia, 171 U. S. 462 (1898); Crossman *v.* Burrill, 179 U. S. 100 (1900); Knott *v.* Botany Mills, The Portuguese Prince, 179 U. S. 69 (1900).

It was finally determined by the Supreme Court in one of the most important of these cases, Liverpool Steamship Company *v.* Phenix Insurance Company, known as The Montana, that the general maritime law is in force in this country as far only as it has been adopted by the laws and usages thereof, and that a contract of affreightment in an American port by an American shipper with an English steamship company, doing business there, for the shipment of goods there and their carriage to and delivery in England, the freight being payable in English currency, is an American contract governed by American law in respect to the effect of a stipulation exempting the carrier from responsibility for negligence of his agents in the course of the voyage.

One of the most interesting opinions in the books on the admiralty jurisdiction was delivered by him in The Glide, 167 U. S. 606 (1896), where the court reversed a judgment of the Supreme Judicial Court of Massachusetts, and determined that the enforcement *in rem* of the lien upon a vessel, created by the statutes of that State, for repairs and supplies in her home port, is exclusively within the admiralty and maritime jurisdiction of the courts of the United States.

Mr. Justice Gray, it should be mentioned, dissented in an elaborate opinion from the judgment in Workman *v.* New York City, etc., 179 U. S. 552, 574 (1900), where it was determined by the majority of the court that a libel in admiralty *in personam* could be maintained against the City of New York for an injury to a vessel lying in a dock from being run into by a fire-boat, owned by the city, through negligence of members of its fire department, while engaged in the performance of their official duties. With Justices Brewer, Shiras, and Peckham he was unable to concur in the reasoning of the opinion of Mr. Justice White in that interesting and important case. He thought that a libel in admiralty could not be maintained, as for a tort, upon a cause of action on which, by the law prevailing throughout the country, no action at law could be sustained.

One of the very last of his important opinions, as may be mentioned in this connection, was in the leading case of Homer Ramsdell Company *v.* La Compagnie Générale Transatlantique, 182 U. S. 406 (1900), which finally adjudged that in an action at common law the ship-owner is not liable for injuries inflicted exclusively by the negligence of a pilot accepted by a vessel compulsorily, as under the statutes of New York, although by the decisions of the Supreme Court of the United

States the ship may be responsible in admiralty, where the owner would not be at common law, differing in that respect from the English cases in admiralty.

The observation of Chief Justice Fuller in his response to the resolutions of the Bar on the death of his eminent associate in regard to the habit of Mr. Justice Gray of making cases leading when he thought the occasion demanded, is well illustrated by a number of his judgments in cases at law and in equity presenting important questions in the general municipal law of the country. A few only of these judgments can be here mentioned.

In the introduction to his opinion in Warner *v.* Texas and Pacific Railway Company, 164 U. S. 420 (1896), relating to the Texas Statute of Frauds, which re-enacted Sec. 4 of the Statute of 29 Car. II. ch. 3, he said: "This case has been so fully and ably argued, and the construction of this clause of the statute of frauds has so seldom come before this court, that it will be useful, before considering the particular contract now in question, to refer to some of the principal decisions upon the subject in the courts of England and of the several States." His treatment of that subject in the opinion necessarily made the case a leading one in the decisions of the court.

The elaborate opinion of Mr. Justice Gray in Primrose *v.* Western Union Telegraph Company, 154 U. S. 1 (1894), on the important subject of the effect and validity of the usual stipulations between telegraph companies and the senders of messages in respect to the liability of the corporations for mistakes in the transmission or delivery of such messages, has been of infinite value to the courts and the profession throughout the country.

Central Transportation Company *v.* Pullman's Car Company, 139 U. S. 24 (1890), where he reviewed the subject of the contracts of corporations *ultra vires,* finally determined as the law of the Supreme Court that no action was maintainable on such a contract.

His method of treating a great question of commercial law on which there was a supposed diversity of authority on the two sides of the Atlantic, is well illustrated by his learned opinion in the leading case of Norrington *v.* Wright, 115 U. S. 188 (1885).

His judgment in Gibbons *v.* Mahon, 136 U. S. 549 (1889), on the subject of stock dividends as an increase of the capital of a trust fund or income for the benefit of a life-tenant, may be mentioned as one of his noteworthy opinions on an interesting question of much general importance not theretofore considered by the Supreme Court.

The opinion of Mr. Justice Gray for the majority of the court in the case of McArthur *v.* Scott, 113 U. S. 340 (1884), construing the will involved in that case, and declaring the invalidity of the decree of the State court, setting aside the probate of the will, as against the com-

plainants, is recognized by the profession as one of the ablest of his judgments on difficult questions of technical law. The case is known as a leading one upon the subject of parties to suits in equity.

His judgments in Jones *v.* Habersham, 107 U. S. 174 (1882), involving the law of charities, and the capacity of corporations to hold and execute trusts for charitable objects, and Hopkins *v.* Grimshaw, 165 U. S. 342 (1896), adjudging that the rule against perpetuities is inapplicable to a trust estate resulting to the heirs of a grantor upon the failure of an express trust declared in the deed, are also among his noteworthy opinions on questions of technical law.

One of the most elaborate and interesting of his opinions on questions of general jurisprudence was delivered in the leading case of Huntington *v.* Attrill, 146 U. S. 657 (1892), which involved the subject of what laws of a State are penal laws in the international sense, and as such are not enforceable in the courts of another State, with reference to the jurisdiction of the Supreme Court of the United States to determine for itself on writ of error whether an original cause of action was penal in the international sense, when the highest court of the State declined to give full faith and credit to a judgment of another State, because in its opinion that judgment was for a penalty.

It is to be observed, with regard to the important use made of decided cases in many of the principal judgments of Mr. Justice Gray, that he was primarily a great common law lawyer, that the authority of judicial precedents as evidence of the unwritten law lies at the foundation of the common law of the English people on both sides of the Atlantic, and that the doctrine of *stare decisis* is a principle which is absolutely necessary to the formation and permanence of any system of jurisprudence.

While his juridical learning was profound and diversified, and he made extensive use of it when he thought the occasion required, it will be found by students of his opinions that he never loses sight of the point presented for judgment, and rarely decides more than the case upon the record properly requires. The opinions of few eminent judges are more free than his own from *obiter dicta*.

In view of the work of Mr. Justice Gray, it may be justly said that he ranks with Marshall, Story, and Curtis, and with Miller and Bradley, among the greatest judges in the history of the Supreme Court of the United States.

Judge Gray undertook, with great reluctance and after much pressure, to deliver the address on the life, character, and influence of Chief Justice Marshall, at Richmond, February 4, 1901, at the request of the State Bar Association of Virginia and the Bar Association of Richmond. That day

was the centennial of the first meeting of the Supreme Court of the United States at Washington, and of Chief Justice Marshall's taking his seat.

The Virginia bar were exceedingly desirous that this address should be given by a Massachusetts man. That was doubly appropriate because of the fact that Chief Justice Marshall had been appointed by John Adams, and, as the bar said in their invitation, "by reason of the cordial relations formerly existing between Virginia and Massachusetts, now so happily restored."

This address contains not only an admirable portraiture of the great Chief Justice, but it is a striking example of the best work of Justice Gray. It is noticeable how extensive and thorough must have been the research with which this brief memoir was prepared; how it deals with great qualities and not with those that are trifling; how unerring are its historic judgments; how rare the good fortune and how careful the inquiry that discovered the Autobiography which had escaped the notice of historians; and above all, how the orator, having called attention to great things said and done by his subject, abstains from extended personal comment or criticism, which he was so well calculated to make, and restrains any expression of the deep enthusiasm of which there can be no doubt his heart was full.

The writer would have profited little by an intimate friendship and companionship of more than fifty years with the subject of this memoir, if he were to permit even that friendship to betray him into anything of exaggeration in narrating the public service or in portraying the mental or moral quality of his friend. Yet I am sure there can be no exaggeration when I say what so many men of the first excellence, who know whereof they speak, men eminent upon the bench and at the bar of the United States and of the Commonwealth of Massachusetts, have said since his death. He took his place easily among the great judges of the world. He so bore himself in his great office as to command the approbation of his countrymen of all sections and of all parties. He was every inch a judge. He maintained the dignity of his office everywhere. He endeared himself to a large circle of friends at the national capital and at home in Massachusetts by his elegant and gracious hospitality. His life certainly was fortunate. The

desire of his youth was fulfilled. From the time when, more than fifty years ago, he devoted himself to his profession, until his death, there was no moment when he did not regard the office of a Justice of the Supreme Court of the United States as not only the most attractive but also the loftiest of human occupations. He devoted himself to that with a single purpose. He sought no popularity or fame by any other path. Certainly, certainly, his life was fortunate. It lasted to a good old age. But the summons came for him when his eye was not dimmed nor his natural force abated. He drank of the cup of the waters of life while it was sweetest and clearest, and was not left to drink it to the dregs. He was fortunate also, almost beyond the lot of humanity, in that by a rare felicity the greatest joy of youth came to him in an advanced age. Everything that can make life honorable, everything that can make life happy — honor, success, the consciousness of usefulness, the regard of his countrymen, and the supremest delight of family life — all were his. His countrymen take leave of him as another of the great and stately figures in the long and venerable procession of American judges.

FEBRUARY MEETING, 1904.

THE stated meeting was held on Thursday, the 11th instant, at three o'clock, P. M.; the President in the chair.

The record of the January meeting and the customary monthly reports were read and accepted.

The PRESIDENT announced the death, on January 20th, at Freiburg in Germany, of Hermann Eduard von Holst, a Corresponding Member, and author of a Constitutional History of the United States. He also announced the receipt from Miss Mary Perkins Quincy, of New Haven, Connecticut, of an oak chest, containing numerous beautifully bound "Quincy Papers," embodying the results of much thorough genealogical investigation in England and France. The chest and its entire contents are given to the Society by Miss Quincy as a memorial of her kinsman, Professor Edward E. Salisbury, of New Haven.[1] The President also presented, as a gift from the children of the late Hon. Charles G. Loring (H. C. 1812), the original quitclaim deed, on parchment, of the peninsula of Boston, given in March, 1684–5, by Wampatuck and other Indians to Elisha Cooke and eleven others "for and in the behalfe of themselves and the rest of the Proprietated Inhabitants of ye Towne of Boston." This most interesting document was exhibited at the meeting of the Society in March, 1879, and is printed in full in the Proceedings, Vol. XVII. pp. 52–55. A much reduced fac-simile is given in the Memorial History of Boston, Vol. I. p. 250.

Mr. WILLIAM R. THAYER suggested that the By-Laws should be amended by adding that no election to membership shall be valid unless, on due notification, the person elected shall within six months signify in writing his acceptance; and on his motion the subject was referred to the Council as a special committee to report at the next meeting of the Society.

Roger B. Merriman, Ph.D., of Cambridge, was elected a Resident Member.

[1] For an enumeration of the articles given by Miss Quincy, see *post*, p. 250.

The PRESIDENT communicated a letter from Hon. William H. Moody, Secretary of the Navy, in reference to the preservation of the frigate Constitution, and a copy of his reply.

WASHINGTON, Jan. 20, 1904.

DEAR MR. ADAMS, — I received yesterday a report from Rear Admiral Capps, chief constructor of the navy, upon the memorial of the Massachusetts Historical Society, praying that the Constitution be restored and put into commission as a training ship. The following is a copy of the report:

"During a recent visit to the Boston Navy Yard, I took occasion to examine the Constitution, having specially in view the feasibility of refitting that vessel on the lines suggested in the recent memorial addressed to the Senate and House of Representatives of the United States by the Council of the Massachusetts Historical Society. While fully in sympathy with the suggestions made by the memorialists, it is considered quite impracticable to refit the Constitution as a training ship, the present condition of the hull of the vessel being such as to necessitate almost entire rebuilding, at very large expense, and when rebuilt it is believed that the vessel would not be suitable as a sea-going training ship for the navy, the man-of-war of the present day being so entirely dissimilar to the Constitution in hull, equipment and ordnance. It is considered that much more satisfactory results would be obtained in keeping the Constitution 'in ordinary,' as at present, taking such steps as may be practicable to arrest further deterioration of the hull, and continuing the vessel in her present berth at the navy yard, Boston, this berth being really the most protected one available at that station.

"It is further suggested that the spar deck of the Constitution could be utilized as a naval museum, the chief constructor being informed that there is already at the Boston yard an interesting collection of naval relics belonging to the Naval Library and Institute Society, this society being incorporated under the laws of the State of Massachusetts, and having as its *ex-officio* president the commandant of the station.

"It is believed that such an arrangement, if carried out, would preserve the sentimental associations connected with the Constitution in the most practical manner, and would permit the perpetuation of the historical name Constitution by transferring it to the most formidable type of modern battleship. It is believed that the continuance on the effective navy list of the names of ships which have borne so distinguished a part in our naval history is well worthy of the attention of Congress, and to that end it is recommended that authority be obtained to give the name Constitution to the next first-class battleship authorized to be built."

In view of this statement, I shall be very glad to receive any further suggestions you may have to make on the subject. In the meantime I will ascertain exactly what has been done by Great Britain in the case of the Victory.

Very truly yours, W. H. MOODY.

Mr. CHARLES FRANCIS ADAMS, 23 Court Street, Boston, Mass.

BOSTON, Jan. 26, 1904.

MY DEAR MR. SECRETARY, — Some days since I received your letter of the 20th inst., including the report of Rear Admiral Capps upon the recent memorial of the Massachusetts Historical Society, relating to the frigate Constitution.

I confess to having read the report of Admiral Capps with a not inconsiderable feeling of regret. Enclosed I send you two editorial clippings from recent issues of the Boston Transcript, elicited by it. I do not know who wrote the articles in question, nor were they suggested, or in any way inspired, by me; but they fairly voice my feelings, and, I have reason to believe, the feelings of a large number of others, both in this vicinity and elsewhere.

I must also confess to a feeling of some surprise at the report of Admiral Capps. So far as the present condition of the Constitution is concerned, what he states was already known. The ship can neither be "repaired" nor "refitted." That it had got practically to be rebuilt was well understood. When rebuilt, however, it would still be the Constitution. She was rebuilt in the same way seventy years ago, so that to-day there is in all probability hardly a fragment of the original in the present frigate. It is a well-known physiological fact that every portion of the human body is renewed once in seven years; but, none the less, the individual man retains his identity. In like manner, the hulk now moored in the Charlestown dock is, in an unbroken line, the Constitution, and the traditions and memories of the original ship linger about it.

Admiral Capps refers to the "very large expense" involved in rebuilding. As compared with the national outgo of the present time, would this expense be sufficient to merit consideration? At the most, it could not well exceed half a million dollars; and I am confident I speak for a very large number of the American community, if not for the whole of it, when I submit that, in the case of a nation expending what the United States is now annually expending, the appropriation for this purpose of an amount such as that named cannot, in view of the sentiment involved, and the moral results flowing therefrom, be deemed excessive or wasteful. It would amount, after all, only to the average national outgo of each six hours of every day that passes. So

viewed I do not believe an individual could anywhere be found who would raise his voice in objection to it.

I am also somewhat surprised at the statement in the report of Admiral Capps that the Constitution "would not be suitable as a sea-going training ship for the navy." The late Admiral Sampson certainly expressed himself to a very different effect; and the Constellation, a frigate of the same period as the Constitution, is at this very time in commission and stationed at Newport. A photograph of her, recently taken, is now before me. It is true that the Constitution is not, and cannot be made into, an ironclad; neither can it be navigated by steam. Nevertheless, I had supposed that the handling of a sailing ship of the old style was a distinct and important part of the training of every modern naval officer; and, moreover, I am under the impression that a vessel called the Chesapeake — a name, by the way, inseparably associated in our naval annals with humiliation and defeat — now serves that academic purpose in connection with the school at Annapolis. Might the Chesapeake not well be replaced in such service by the Constitution — the "Ironsides" of our earliest navy?

Finally, the proposal that the name Constitution should be transferred from the frigate to a modern battleship does not commend itself to my judgment. It is, on the contrary, distinctly distasteful. That name belongs to that ship, and to that ship only. In the memory of the American people it was, and should remain, always associated with that ship and with no other. That it should now be transferred to a vessel of wholly different type, with no record and no associations, would be otherwise than gratifying.

Permit me in closing to add that one hope the memorialists of the Massachusetts Historical Society had entertained was that the Constitution, as representing the first navy of the United States, might, followed by the Hartford, representing the second navy of the United States, lead the naval procession which, it is believed, will at no remote day commemorate the opening of the Panama Canal. That event, it may reasonably be anticipated, will not be deferred beyond the year 1912. Were the necessary appropriation for rebuilding and refitting the Constitution now made, that ship, like the Hartford, would, when the proper time came, be in condition to take her appropriate place in the van of what will always hereafter be remembered as one of the memorable American historic displays. That is where she would properly belong; nor would the people of the United States account the spending of the sum necessary to put her there a waste of the public moneys.

I note what you say in regard to the measures you have taken "to ascertain exactly what has been done by Great Britain in the case of the Victory." I would call your attention to the fact that the Victory is an old-fashioned line-of-battle ship, and accordingly quite unfit for

the academic purposes to which the Chesapeake now is, or the Constitution might be, devoted. The hope was that the Constitution might be kept afloat and in commission; and, even though the old hulk should be preserved, it would not be without regret that those who appreciate what the Constitution once did for us would see her spar deck utilized hereafter merely as a naval museum.

I would, therefore, on behalf of the Massachusetts Historical Society, and other memorialists, express an earnest hope that the wishes they have expressed in this respect — wishes which they have reason to know are shared by other citizens in every section of the common country — may yet receive a favorable consideration.

I have the honor to be, etc.,

Charles Francis Adams.

Hon. William H. Moody, Secretary of the Navy, Washington, D. C.

Mr. Charles E. Norton, from the Committee appointed at the November meeting to represent the Society in the matter of a memorial or memorials to John Adams and John Quincy Adams, in compliance with the invitation of the State House Commission, made an oral report that the Committee had attended to that duty, and asked to be discharged, which was accordingly done. In a letter to the chairman of the Commission, which has been placed on file, the Committee expressed the opinion that the best form of memorial would be two seated portrait figures in marble, to be placed in two of the four niches in the Memorial Hall in the State House.

Mr. Franklin B. Sanborn read parts of a biographical sketch of Rev. Samuel Langdon, D.D., President of Harvard College from 1774 to 1780.

Samuel Langdon, S.T.D., Scholar, Patriot, and President of Harvard University.

I mention Dr. Langdon's titles to recollection in the order in which the world in general esteems them, but also as they led to his advancement from obscurity to public notice, and thence to eminence in the eighteenth century. It was his scholarship which gave him rank when young, and led to his establishment as a clergyman in a large and wealthy parish at the age of four and twenty. This position brought him into close relations with public affairs, but had been preceded by the first distinct act of patriotism, — his taking part in the provin-

cial capture of Louisbourg in 1745, under Sir William Pepperrell, when Langdon was but two and twenty. Doubtless his serving as chaplain to one of the regiments — that raised in New Hampshire — which accomplished that daring enterprise was a step towards his succeeding to the pastorate of Rev. Mr. Fitch in Portsmouth. This pastorate made him cognizant of the patriotic opinions and plans of Langdon, Sullivan, and the other opponents of British aggression in New Hampshire; and he joined in them so cordially that, when the Corporation and Overseers of Harvard College in 1774, whose members were chiefly of the party of the Adamses and Hancock, had to choose a new President, they naturally invited Dr. Langdon of Portsmouth to that difficult place, in which he served during the six most critical years of the Revolution.

Samuel Langdon was the son of Samuel, a housewright or carpenter of Boston, and Esther Osgood, his wife, and was born, January 12, 1723, in the North End of Boston, probably in Cross Street. He was the youngest of six children, and took the name of his eldest brother, Samuel, who had died at the age of eight, in October, 1721. He was the grandson of Philip Langdon, a mariner, and his wife Mary; and this Philip was probably the son of a John Langdon, who may have been a brother of Tobias Langdon, ancestor of the distinguished brothers John and Woodbury Langdon, of Portsmouth, New Hampshire. The Langdons appear to have come from Devonshire. Samuel, the future divine, had an uncle, Paul Langdon, who removed to Wilbraham and had numerous descendants; he was himself the second cousin of Elizabeth Langdon of Boston, two years older than himself (born in 1721), who became the wife of Rev. Andrew Eliot of the North Church, Boston, at whose advice, as a member of the Corporation of Harvard, Dr. Langdon, early in October, 1774, became President of the embarrassed College. Dr. Langdon married, in 1748, Elizabeth Brown, daughter of the deceased minister of Reading, Rev. Richard Brown, a scholar of some note in his day. Five children of this marriage lived to maturity, all but two of whom left descendants; so that the posterity of Dr. Langdon, by his own name and other names, are now numerous, and reside in many parts of the United States, in Georgia, North Carolina, and California, as well as in New York. I may add that Nathaniel Langdon, a Boston innkeeper in the first half

of the eighteenth century, was a first cousin of Mrs. Andrew Eliot, and a second cousin of Dr. Langdon ; he was the grandfather and namesake of Rev. Nathaniel Langdon Frothingham, a former member of this Society.

I mention these genealogical details because Rev. John Eliot, who was rather too fond of disparaging his mother's cousin, President Langdon, speaks of him in his Biographical Dictionary as of humble origin, "of parents poor but respectable." So he was, being a carpenter's son; but he was not the only person in history so designated ; and Boston mechanics were the fathers of many of the Fathers of the Revolution, beginning with the eldest and most illustrious, Benjamin Franklin. Illustrious descent, in America, has little on which to found its pretensions, until we get back into the twilight of European heraldry. Owen O'Sullivan, a grandson of four Irish Countesses, as he was told, but who ran away from the peerage, and changed his name to John Sullivan and his station to that of schoolmaster along the Pascataqua, has been made more famous by his two sons, John and James, who became respectively Governors of New Hampshire and Massachusetts, than by his descent from the kings of Kerry. In his old age, writing to his son the New Hampshire General, old Owen quoted a rather lame Latin quatrain thus, in disdain of genealogy : —

> Si Adam sit Pater cunctorum, Mater et Eva,
> Cur non sunt homines nobilitate pares?
> Non pater aut mater dant nobis nobilitatem,
> Moribus et vita nobilitatur homo.

Which elegiac verse I render,

> Was Adam all men's sire, and Eve their mother?
> Then how can one be nobler than another?
> Ennobled are we not by sire or dame,
> Till life and conduct give us noble fame.

Dr. Langdon answered to this requirement so well that he furnished his own title to renown.

The lad very early showed indications of his tendency towards the life of a scholar, and these were so marked that friends promoted his wish for a liberal education, and he entered Harvard College at the age of thirteen, in 1736. There he became one of the beneficiaries under the liberal donations

of Thomas Hollis to promote religious education in New England. Quincy, in his History of Harvard University, in a passage rather more grandiloquent than his wont, says near the beginning of the twelfth chapter: —

"In the literary horizon of Harvard the name of Hollis is applicable, not to a single star, but to a constellation. Six individuals bearing it are entitled to rank high in the list of its benefactors. Of these the first and greatest was Thomas Hollis, who was born in 1659 and died in 1731. Three of the six bore this name of Thomas; the others respectively of John, Nathaniel, and Timothy. The second Thomas was the son of Nathaniel, and heir of his uncle, the first Thomas. The third Thomas was the son of the second. Timothy was the son of John."

One of the first official acts of Dr. Langdon after he became President of the College in October, 1774, was to write to one of the latest of the six stars in Quincy's constellation (Timothy Hollis), condoling with him on the death of the second Thomas; and I quote it for its pathetic touch in regard to the education of the poor scholar then at the head of the College. Dr. Langdon said, —

"The name of HOLLIS claims the highest veneration and an everlasting remembrance in this seat of Science. In its weak beginnings it was enriched and adorned by the great Benefactor of this name, with a fund for two most important Professorships, and a very considerable provision for ten students to be trained up for the Evangelical ministry; besides other very valuable donations. Among many others, the writer of this rejoices in having been one of the children educated by the bounty of so generous a patron."

Graduating in 1740, and taking his master's degree in 1743, young Langdon became a teacher in the flourishing town of Portsmouth, then the capital of the fast-growing Province of New Hampshire, under the government of the powerful and liberal family of Wentworth, who continued to rule it for a whole generation longer. Langdon was a favorite there, was asked to assist the aged pastor of the oldest church in 1744, then went as chaplain to the siege of Louisbourg, as already mentioned, and in 1747 succeeded Mr. Fitch in the parish, and became one of the chaplains of the Provincial Legislature meeting at Portsmouth. He received a grant of mountain

lands near Conway for his service in the war, married in 1748, and built a capacious house for his bride in 1749, which is still owned by his descendants, and in which I spent an agreeable half-hour lately, with Dr. Langdon's great-granddaughter, Mrs. Mary Pickering Harris, who represents in Portsmouth the three intermarried families of Pickering, Goddard, and Langdon. I found her grieved at the unfair way, as she thinks, in which President Quincy treated the character and administration of *her* ancestor and *his* distinguished predecessor; and I am inclined to agree with her in that opinion. Still more unfair is the account of President Langdon's resignation which this Historical Society has published in the third part of the Belknap Papers, from the gossiping pen of Rev. John Eliot, who gives a very incorrect view of Dr. Langdon's letter of resignation. As this letter has never been published, I think, nor its exact dates set forth in connection with the action of the Corporation over which he had presided, I will give it. The order of events was extraordinary, and his resolution to resign suddenly formed. On the 28th of August, 1780, he had presided at a meeting of the Corporation, and entered their brief proceedings in the record-book with his own hand, in that clear and beautiful penmanship which his diploma to General Washington, four years earlier, had exhibited. Two days before he was waited on by an impudent committee of a dozen students, who invited him to resign, in an insulting paper which had previously been read to one of the faculty, presumably the librarian, Winthrop, who encouraged them in their insubordination. On the 30th of August the President sent to his colleagues of the Corporation, addressing them in very respectful terms, this dignified letter, which Eliot has misrepresented: —

GENTLEMEN, — Upon your invitation, when the flames of war were just breaking out, in the most difficult and critical situation of affairs, both of the State and of the College, notwithstanding every discouraging prospect, I took my leave of a Church with which I was connected by every obligation and endearment, and ventured into the midst of tumult and dangers; that I might contribute whatever was in my power for the support of Liberty and Literature. Sensible of the weight of duty which would come upon me, I wished for greater abilities both of Body and Mind, to go thro' the various and important services then in my view.

Soon after my acceptance and removal to Cambridge, I found myself surrounded by the din of arms, called to complicated labors, almost beyond my strength, and obliged to remove my family and effects from town to town, before I could have a safe and quiet residence in Cambridge.[1] After which numerous difficulties occurred from year to year, in the affairs of this literary Society, which required increased application beyond all the ordinary duties of the President's office. By Divine help I have been supported to the present time, tho' subject to many mental and bodily infirmities; and my chief satisfaction is the hope that my zealous endeavors to serve the noble cause of my Country and Liberty, and the important interests of Religion and Literature, have not been wholly without good effects.

But old age is advancing on a constitution which in former years was much weakened by threatening nervous disorders; and the course of severe labor which I have gone through, since I entered on the duties of my office, has hastened on the common decays of nature. My memory greatly fails; that spirit and vigor necessary for the happy management of an University are sensibly abated; my taste for youthful studies is decreasing; a life so public grows less agreeable, and the show and ceremony of the world begin to be a burden. I therefore rather wish for a more retired situation.

These considerations have led me to a determination to resign that office with which, by your favor, I have been honored. And I now beg to declare my resignation of the President's Chair in Harvard College; trusting that the God of all wisdom may soon direct you to the choice of some worthy Gentleman, who will fill the vacancy with greater dignity, and, with more distinguishing abilities and success, go through the various duties of the office.

Permit me nevertheless to request the favor that my family may continue in the house appropriated to the President's use, until my own at Portsmouth can be prepared for their reception; and that, considering the heavy expense of my removing, after serving the College in times of peculiar difficulty, without receiving more than one third of the emoluments of the office, which in better times were enjoyed (if compared with current expenses), you would afford me all that kind assistance which may be in your power.

For all the honor you have done me, and the constant candor and goodness with which you have treated me, I entertain the warmest sentiments of gratitude. It is my fervent prayer that the Father of Lights would grant every blessing to the literary Society which has been committed to my care; and that it may be celebrated through the world

[1] Referring to the removal of the President first to Watertown, then to Concord, after the battle of Bunker Hill, when the College was broken up temporarily, and afterward reassembled in the Concord meeting-house.

for retaining the truth of the Gospel, for the purest morals, and the most perfect cultivation of every branch of Science.

With the highest Friendship and Esteem, I am, Gentlemen, your most obliged and humble Servant,

Samuel Langdon.

Harvard College, August 30, 1780.

I hardly see how a president, under the unpleasant circumstances of the case, could write a more gentle and Christian epistle. "A wounded spirit who can bear?" and that pain which the generous must feel at being ungenerously dealt with is manifest in every paragraph of this document. But there is nothing in it to warrant Eliot in quoting the good Doctor as saying, "My taste for *academical* studies decreases; my fondness for show and public notice is lost, and I wish heartily to retire." The meaning of the polite President was very different from this travesty. So much had his memory failed that he could not remember injuries.

Rev. John Eliot, whose sister married Dr. Belknap, the founder of our Historical Society, was an amusing writer, but not in youth a very impartial or religious man if we may judge by his published letters. A gallery of portraits sketched by him, as drawn from his letters to Belknap, would show the New England worthies of his youthful day in a very strange light. He was young, fluent, critical, and put no restraint on his ready pen. Dr. Byles in his eyes was a "silly, impertinent, childish person, — one consistent lump of absurdity." Paul Revere found no more favor in his sight; Samuel Adams "loves me [the great John Eliot] as the devil does righteousness." Winchester, a very respectable divine, who afterwards founded the Finsbury Square Chapel in London, was "a New Light haranguer," wishing to "pull down the standing clergy." Of the College Presidents in 1780, Eliot writes: "What a group, *mirabile pecus!* president Langdon, *Cambridge*, Stiles, *Yale*, Wheelock, *Dartmouth*, Graham, *Fishkill*, — I beg Mr. Manning's pardon, who resides at Providence." Dr. Mather's pamphlet in 1782 "partook of the *rabies* of the family; was weak, quaint, pettish, with the pomposity of his father." Dr. Dwight, afterwards President of Yale, "is a complete bigot, on the plan of his grandfather, Jonathan Edwards; has studied little else in divinity but that scheme." Rev. William Hazlitt, father of the essayist, "is the most conceited and imprudent

man I ever met with." These may serve as samples of his discernment and freedom of speech. He had reached the mature age of twenty years and six months when he thus passed judgment upon Dr. Langdon, whom his father had successfully urged to leave his attached parishioners and come to his thorny path at Cambridge: —

"President Langdon now sits in the academical chair. To give you my opinion of this gentleman *sub rosa*, I think him a *compages* of good sense, much learning, more arrogance, and no less conceit. His first setting out was beginning his expositions on Romans, detaining us an hour and half in the Chapel to hear them. The next was, abolishing Sunday evening singing, to give more time for his harangue. I expect the next will be ordering the Bachelors to dispute, which will soon bring him and us by the ears."

A few months later this Daniel come to judgment wrote, more hopefully: "I hope our Præses will be a useful man. He is rather more popular than he was."

Now, what had Dr. Langdon been doing that entitled him to be chosen from outside the Province, of which Harvard College was then a dependency, to the chair of that "seminary," as it was once the fashion to call it? He was probably in 1774, at the age of fifty-one, in most branches of knowledge the most learned and exact scholar of all New England. He had been eminent in college and a successful teacher, had cultivated mathematics and geography, astronomy and history, and collected a valuable library, some part of which helped on my youthful studies in the town where he died, Hampton Falls. Like all the residents of New Hampshire, the province most immediately threatened in the French and Indian wars, he had made himself active to repel, and finally to conquer, the Canadian French and their Indian allies; and when the war of 1754–63 came on, he busied himself, along with Colonel Blanchard, an officer in that war, to provide England and America with a better map than was attainable of the region in dispute, northwestern New Hampshire and Vermont. This map was first prepared in 1756, but not published in London till 1761, when it appeared on a large sheet dedicated to Charles Townshend, then one of the English cabinet. So pleased was he with the work and the inscription, — stimulated, perhaps, by the recommendation of Governor Went-

worth, of Portsmouth, — that he procured for Mr. Langdon the honorary degree of S.T.D. from the University of Aberdeen. During the same war Langdon was in correspondence with the New Hampshire commanders, as is shown, among other evidence, by the long letter of Captain Nathaniel Folsom, afterwards a Revolutionary general, addressed to Mr. Langdon, and now among this Society's manuscripts. I may note in passing that Bancroft, the historian, has made a mistake in describing the spirited engagement reported in this letter, which he might have avoided had he read Dr. Langdon's sermon of 1759 on the capture of Quebec. Bancroft says: "A party of 300 French who had rallied and were retreating in a body, at two miles from Lake George were attacked by Macginnes of *New Hampshire*, who, with 200 men of that Colony, was marching across the portage from Fort Edward." Dr. Langdon says, basing his statement on the letter of Folsom, who speaks very slightingly of McGennis, a *New York* captain: —

"At their place of rendezvous the French were met by a small scout of 140 men, of the New Hampshire and New York regiments, under the captains Folsom and McGennis, who, hastening from Fort Edward toward the lake at the report of cannon, discovered and engaged the enemy, as they were reassembling where they had left their baggage; fought from 4 P. M. till night, killed about 100, dispersed the body, and then proceeded to the Camp with the loss of only six of their number killed. This was on Sept. 8, 1755."

The war successfully ended, and young King George seated on the throne, Dr. Langdon joined with the other clergymen of New Hampshire and eastern Maine in congratulating him on his accession. The great-uncle of John Adams, Rev. Joseph Adams of Newington, then seventy-three years old, presided at the synod, but the address bears plain marks of Dr. Langdon's style, and is signed by him, along with Mr. Gookin of North Hampton and Dr. Haven of Portsmouth. It said: —

"We cannot but recollect with the greatest pleasure how securely we enjoyed our Civil and Religious Liberties during the reign of your Majesty's Royal Grandfather, by whose Wisdom and Moderation the authority of the Laws was supported, and Protestants of all denominations countenanced and protected from the furious insults of Party

Zeal. Especially these American Colonies must forever remember his paternal care, who, at a very critical time of most threatening danger, defended us by his Arms; which, accompanied with most signal smiles of Divine Providence, have delivered us from the Massacre of the barbarous Salvages, to which our Frontiers were continually exposed, — the fears of Romish superstition and the chains of France.

"While we are laboring according to the peculiar duties of our sacred character to promote among our people the Religion of Jesus Christ, our Divine Master, agreeable to the purity and simplicity of the Gospel, we shall ever be careful to inculcate upon them principles of loyalty and subjection to your Majesty's government, and enforce these duties by our own example."

This was in 1761; nor was Dr. Langdon's Election sermon of May, 1775, so inconsistent with this expression of loyalty as might appear at first sight. He made a distinction between the king and his ministers and their purchased parliament, which distinction, if the king had fully understood and acted on, he might have retained the allegiance of the Colonies.

I find in the archives of Harvard College a curious evidence of Dr. Langdon's universal studies, in the following letter to the mathematical professor at Cambridge, John Winthrop, dated Portsmouth, September 15, 1769, and enclosing some astronomical calculations: —

"I have presumed to trouble you with such observations as I have been able to make on several places of the present Comet: which perhaps may afford you some little advantage, in supplying some vacancies in the observations at Cambridge; as I am ready to suppose your state of health may have hindered you from tracing it in so many points of the horizon as might be desired. I wish I could have more seasonably procured a good instrument; but I think the three last places were taken with as much accuracy as I was capable of using. Only, since the motion in 24 hours was about four degrees, and such observations took up some minutes of time, perhaps there may be three or four minutes of a degree allowed for the Comet's change of place, while I was taking its distance from several stars. Pray excuse the mixture of my rude guesses, which are founded only upon a mental view of the path which appearances led me to think the Comet must take, and the course of its way on the celestial globe." [1]

[1] This very globe was left by Dr. Langdon, with his learned wig and other articles, to one of his Hampton Falls deacons, Jeremiah Lane, and afforded me the first sight of such an instrument when I was perhaps seven years old.

Three years earlier Dr. Langdon, together with Dr. Haven of Portsmouth, Rev. Mr. Stevens of Kittery, and Rev. Mr. McClintock of Greenland, had examined and approved young Mr. Belknap as a candidate for the ministry; and Dr. Langdon was the "scribe" of the church council which directed the proceedings at the ordination of Mr. Belknap at Dover in February, 1767. Thus was New Hampshire provided with her best historian, in whose labors Dr. Langdon co-operated. His second son, Paul Langdon, graduated at Harvard in 1770, and the Doctor himself had favored the admission of several students from New Hampshire to that College during his Portsmouth residence, and even after the opening of Dartmouth College. Under these circumstances, when in 1774, by the sudden retirement of President Locke, the chair at Harvard became vacant, and the difficult position was made more difficult by the political controversies of the period, Dr. Langdon's clerical and political friends in Boston turned toward him as a suitable man for the presidency, which several of them had declined. Dr. Andrew Eliot, father of the young critic John, seems to have been the member of the College Corporation selected to remove Dr. Langdon's scruples about leaving his church and congregation and putting himself in the path of the British lion, then represented in Boston and Cambridge by General Gage, who had succeeded Hutchinson as Governor of Massachusetts, with a Tory band of mandamus Councillors around him. Some of these were naturally averse to the appointment of so pronounced a patriot as Dr. Langdon, and it was feared they would raise difficulties. Dr. Eliot visited his friend at Portsmouth soon after he and his associates had secretly chosen Langdon, in July, 1774; and not long after his visit Dr. Langdon wrote to Dr. Eliot thus: —

PORTSMOUTH, August 10, 1774.

REV'D AND DEAR SIR, — The Church and Congregation, the day you left us, voted to leave the important affair of my Call to the determination of my own best judgment. I know not what to do; may God give me counsel. Perhaps providence may soon present some circumstances which may fix my mind. Pray favour me with your friendly advice and assistance.

Your Brother in the Gospel,

SAM[L] LANGDON.

On the same sheet which contains this note in the archives of this Society, is the first draft of a reply by Dr. Eliot, who said: —

"Yours of 10th inst. I received. I am glad there is like to be no difficulty with your people. I sincerely hope there will be no difficulty anywhere else. Dr. Appleton informs, you have tho'ts of giving your answer soon. When the Overseers adjourned to Oct. it was supposed that you would be not likely to give your answer before that time. It hath been usual to read the Pres't's answer at that board, who have then voted to desire him to remove, &c. It is my opinion that, provided you [*illegible*] and I trust you will, it will be on all accounts best to defer it a few weeks. In this opinion Dr. Appleton, Dr. Pemberton, Dr. Winthrop & Dr. Cooper agree with me. Dr. Cooper would have written his sentiments if you had not been absent. You will soon hear from him."

It would appear from another letter of Dr. Eliot's that one of the Governor's Council had threatened some opposition; at any rate, the affair dragged on, and on the 30th of August, 1774, just six years before he wrote his letter of resignation, Dr. Langdon wrote again to his friend, saying: —

I understand, by a letter from Dr. Haven's son to his father, that you are under apprehensions of a difficulty on account of the Governor and new Council's concern in the installment, if I should speedily answer the Call of the College, in the affirmative. I see no prospect of the removal of that difficulty in any short time; a twelvemonth will hardly be sufficient to settle things, if all should at length turn in our favor at home.[1] If therefore the formalities of Installment are necessary, so long a delay of my answer would be in many respects inconvenient; for my people already grow impatient for the final decision, and are ready to recall the liberty already given me. My aim is to serve the College if I am able. I am willing for my own part to forego anything which may be considered merely as a point of honor, and risque a maintenance on the credit of the College and Province. If there are embarassments which cannot be surmounted, in any reasonable time, I shall think it my duty to refuse the honor offered me. All I desire is to know what I ought to do. I have written to Dr. Winthrop for his opinion. Pray favor me with yours as soon as possible. The momentous affair must very soon be determined.

Your affectionate Friend and Brother, etc.

SAM[L] LANGDON.

[1] "At home" meant England.

Of course the members of the Corporation wrote him at once that he must not decline (as they had done), and early in October, 1774, he became President. His doing so is thus seen to have been a favor to the College, then in serious straits for a good president, rather than a favor to the pastor of an attached congregation. His remark about risking "a maintenance on the credit of the College and Province," recalls the wellnigh forgotten fact that Harvard was then dependent, in part, on the Provincial Legislature for its pecuniary support, — the rent of Massachusetts Hall, then £60 a year, being appropriated by the General Court for the President's salary, — to which were added certain fees. As the Revolutionary paper money decreased in value, the salary of Dr. Langdon fell to less than half what had been stipulated at first (£200 in silver), and the deficiency was in part made up to him by the Legislature after his resignation.

Nor was this the only source of financial trouble to the President and College. Dr. Langdon had been chosen on the 18th of July at the house of John Hancock on Beacon Hill, and with the active support of Hancock, then one of the richest and most popular merchants in Boston. He was also College Treasurer since 1773, having made good to the College a defeated bequest of the uncle, Thomas Hancock, from whom his wealth was inherited; and having been chosen into the College Corporation in view of the facts just stated. Dr. Langdon's active duties began October 14, and in November it was his duty to write to his friend Colonel Hancock, requesting him to make the first annual settlement of his accounts as Treasurer, and inform his colleagues of the state of the College funds. No notice was taken of this letter, and a second and third letter, January 27, 1775, and March 7 following, produced no other effect than a promise, which Hancock never kept, to make the financial statement desired. Letter followed letter, and just before the fight at Lexington and Concord the Corporation voted, —

"That Colonel Hancock be requested to deliver the moneys, bonds, and other papers belonging to the College Treasury, into the hands of the President, Dr. Appleton, Dr. Winthrop, and Dr. Eliot, or any two of them, a committee for that purpose; and that they give him a proper receipt, which shall be his discharge for the same."

This polite way of turning out a treasurer not only did not produce the moneys, but angered the busy and popular Hancock, then active in the measures that soon brought on war. He wrote from the Provincial Congress at Concord (sitting in the meeting-house where a few months after Dr. Langdon was expounding Romans or Revelations and hearing College recitations), a tart letter in which he declared, —

"That he has at heart the interest of the College as much as any one, and will pursue it. He is much surprised at the contents of the President's letter, as well as at the doings of the gentlemen present, which he very seriously resents. . . . Peradventure his absence [at Philadelphia, whither he was soon going to the Continental Congress] *may not be longer than a voyage to Machias.*"

We know not what this last Parthian arrow signifies, nor where it hit, but it must have been aimed at some member of the Corporation. The battle of Concord came on, the Congress met, Hancock became its president, and signed the Declaration of Independence fifteen months after, all the while neglecting his duty as College Treasurer. Two years later Hancock was displaced, and Storer made Treasurer.

Events were occurring which made the ire of Colonel Hancock seem trifling, as his conduct certainly was. The Colony began to arm for the inevitable struggle with the mother-country; General Gage and Earl Percy found out on the 19th of April, six months after Dr. Langdon's taking the academic chair, what sort of marksmen the despised militia of Middlesex and Essex were; the Provincial Congress at Watertown took charge of the government of the Province, and on the annual Election Day, May 31, 1775, the new President of Harvard was installed as preacher of the Election sermon. His pamphlet is before me. His subject was, "Government corrupted by Vice"; his text, from the radical prophet Isaiah, "I will restore thy judges as at the first, and thy counsellors as at the beginning; afterward thou shalt be called the City of Righteousness, the Faithful City." This was aimed at the Tory justices and the mandamus Councillors, whose Whig successors were soon to be found sitting in their vacated places; but the preacher did not stop at their feeble transgressions: he struck at the source of their misgovernment — the tyranny and corruption of the English administration — in these well-chosen words: —

"We have lived to see the time when British liberty is just ready to expire; when that constitution of government which has so long been the glory and strength of the English nation, is deeply undermined and ready to tumble into ruins: — when America is threatened with cruel oppression, and the arm of power is stretched out against New England, and especially against this Colony; to compel us to submit to the arbitrary acts of legislators who are not our representatives, and who will not themselves bear the least part of the burdens which, without mercy, they are laying upon us . . . We are no longer permitted to fix our eyes on the faithful of the land, and trust in the wisdom of their counsels and the equity of their judgment. But men in whom we can have no confidence, — whose principles are subversive of our liberties, whose aim is to exercise lordship over us, and share among themselves the public wealth, — men who are ready to serve any master, and execute the most unrighteous decrees for high wages, — whose faces we never saw before, and whose interests and connections may be far divided from us by the wide Atlantic, — are to be set over us as counsellors and judges; at the pleasure of those who have the riches and power of the nation in their hands, and whose noblest plan is to subjugate the Colonies first, and then the whole nation, to their will."

In this bold outburst Langdon was but echoing what Burke and Chatham were saying in England, and denouncing influences against which Fox and Rockingham long strove in vain after the death of Chatham, — that great statesman whom Langdon in New Hampshire, with his friends the Wentworths and Atkinsons, had loyally supported in the dark days of the French war.

Soon after this sermon the College was removed to Concord, concerning which more will be said presently. It returned to Cambridge in the summer of 1776, and the degree of LL.D. was conferred on General Washington there. Two years afterward, Dr. Locke, Dr. Langdon's predecessor, died. I found the other day, at the Public Library, among the manuscripts, this eulogy of him, in Dr. Langdon's handwriting, perhaps designed for his tombstone: —

In Memory of the Rev. Samuel Locke, D.D.

As a divine he was learned and judicious. In the pastoral office vigilant and faithful. As a Christian devout and charitable. In his friendships firm and sincere. Humane, affable and benevolent in his

disposition. In the conjugal and parental relations kind and *officious*.[1] The uncommon size and penetration of his genius, the extensiveness of his erudition, that fund of useful knowledge which he had acquired; the firmness and mildness of his temper and manners, his easiness of access and patient attention to others, joined with his singular talents for government, procured him universal esteem, — especially of the governors and students of Harvard College, over which he presided for four years with much reputation to himself and advantage to the public. Afterwards he retired to the private walks of life, entertaining and improving the more confined circle of his friends, until his death, which was very sudden, on the 15th of January, 1778, aged 45.

I believe this the longest account of that brief President we have anywhere. It speaks well for the heart of his successor, and indicates what were the qualities Dr. Langdon admired, nearly all of which he possessed. We may smile at the adjectives and nouns he now and then employs, as we do at the panegyrics and invective of others; but it is true of this good Doctor that he preferred to praise rather than to blame.

The town of Concord, when Dr. Langdon and his hundred students removed thither in September, 1775, was rather smaller than Cambridge, with a large meeting-house, where the Provincial Congress had lately assembled, two or three taverns, a court-house, a wooden jail, in which the next year Sir Archibald Campbell was imprisoned, a few good houses in the village, and many large farmhouses on its outskirts and in the four quarters of the great township. The Old Manse was newly built, and occupied by Rev. William Emerson (grandfather of Waldo Emerson), whose mother-in-law, the widow of Parson Bliss, his predecessor in the pulpit, occupied with her family the oldest house in the village, still standing on the main street; and upon its book-shelves that part of the College library which had been brought over from Andover was probably arranged for the use of professors and students, and of the town minister, Mr. Emerson, who, by special vote of the Corporation, was allowed to consult the books. A short mile to the westward, on the large farm of

[1] Here Dr. Langdon used the last adjective as did his contemporary Dr. Johnson, in his poem on his companion Levet: —

> Well tried through many a varying year
> See Levet to the grave descend;
> *Officious*, innocent, sincere,
> Of every friendless name the friend.

the Tory Lee, which had once belonged to Major Willard, the companion of Rev. Peter Bulkeley, stood the largest house in Concord (burned forty years ago), in which many of the students lived. Others were distributed through the town, some of them still farther to the northwestward, on the roads to Annursnac and Strawberry Hill. The recitations were given in the meeting-house, the court-house, and at the Lee house by Nashawtuc. Dr. Langdon himself lived at Dr. Minott's, where afterward the Middlesex Hotel stood, and the professors in places not far off. Before leaving the town to return to Cambridge, Dr. Langdon, representing the Faculty, thus addressed the Selectmen, "the gentlemen of the committee, and other gentlemen and inhabitants who have favored the College with their encouragement and assistance": —

Gentlemen, — The assistance you have afforded us in obtaining accommodations for this Society here (when Cambridge was filled with the glorious army of freemen which was assembled to hazard their lives in their country's cause, and our removal from thence became necessary), demands our grateful acknowledgments. We have observed with pleasure the many tokens of your friendship to the College; and particularly thank you for the use of your public buildings. We hope the scholars, while here, have not dishonored themselves and the Society by any incivilities or indecencies of behavior, — or that you will readily forgive any errors which may be attributed to the inadvertence of youth.

May God reward you with all His blessings, grant us a quiet resettlement in our ancient seat, to which we are now returning, preserve America from slavery, and establish and continue Religion, Learning, Liberty, Peace, and the happiest Government in these American Colonies, to the end of the world!

In addition to this vote of thanks, the College voted £10 to the Selectmen for the use of the meeting-house, in which morning and evening prayers were daily held.

Concord, when Dr. Langdon took up his residence there, in the summer of 1775, was full of memories of the fight at the North Bridge; and still more so when he preached his Election sermon in May. Speaking of that affair, he said in his sermon: —

"They have not only endeavored to terrify us with fleets and armies sent to our capital, and distressed and put an end to our trade, — particularly that important branch of it, the fishery, — but at length attempted, by a sudden march of a body of troops in the night, to seize

and destroy one of our magazines, formed by the people merely for their own security. . . . By this, as might well be expected, a skirmish was brought on; and it is most evident . . . that the fire began first on the side of the king's troops. At least five or six of our inhabitants were murderously killed by the Regulars at Lexington, before any man attempted to return the fire, and when they were actually complying with the command to disperse: and two more of our brethren were likewise killed at Concord Bridge by a fire from the king's soldiers, before the engagement began on our side. But whatever credit falsehoods transmitted to Great Britain from the other side may gain, the matter may be rested entirely on this, — that he that arms himself to commit a robbery, and demands the traveller's purse, by the terror of instant death, is the first aggressor, though the other should take the advantage of discharging his pistol first, and killing the robber.

"The alarm was sudden, but in a very short time spread far and wide; the nearest neighbors in haste ran together, to assist their brethren and save their country. Not more than three or four hundred met in season, and bravely attacked and repulsed the enemies of liberty, who retreated with great precipitation. . . .

"Our king, as if impelled by some strange fatality, is resolved to reason with us only by the roar of his cannon, and the pointed arguments of muskets and bayonets. Because we refuse submission to the despotic power of a ministerial Parliament, our own sovereign, to whom we have always been ready to swear true allegiance, — whose authority we never meant to cast off, — has given us up to the rage of his ministers; to be seized at sea by the rapacious commanders of every little sloop of war and piratical cutter; and to be plundered and massacred on land by mercenary troops, who know no distinction betwixt an enemy and a brother, between right and wrong, — but only, like brutal pursuers, to hunt and seize the prey pointed out by their masters."

This passage indicates what was almost the universal feeling in the Colonies after that "untoward affair" of the 19th of April. Another point insisted on by Dr. Langdon was perhaps more fully exemplified in his own Province of New Hampshire than in any of the Colonies, — the quiet and almost unanimous submission to the newly created popular authorities. And in the passage now to be cited, it will be seen that this preacher anticipated by more than a year the very argument more tersely put forward by Jefferson in the Declaration of Independence:

"By the Law of Nature any body of people, destitute of order and government, may form themselves into a civil society according to their

best prudence, and so provide for their common safety and advantage. When one form is found by the majority not to answer the grand purpose in any tolerable degree, they may by common consent put an end to it and set up another; only this ought not to be attempted without urgent necessity. . . .

"It must be ascribed to some supernatural influence on the minds of the main body of the people through this extensive continent, that they have so universally adopted the method of managing the important affairs necessary to preserve among them a free government, by corresponding committees and congresses, consisting of the wisest and most disinterested patriots in America, chosen by the unbiassed suffrages of the people assembled for that purpose, in their several towns, counties and provinces. So general agreement through so many provinces of so large a country is unexampled in any history; and the effect has exceeded our most sanguine expectations. Universal tumults and all the irregularities and violence of mobbish factions naturally arise when legal authority ceases; but how little of this has appeared in the midst of the late obstructions of civil government! . . . Nothing more than has been absolutely necessary to carry into execution the spirited resolutions of a people too sensible to deliver themselves up to oppression and slavery. . . .

"Order among the people has been remarkably preserved; few crimes have been committed punishable by the judge; even former contentions between one neighbor and another have ceased."

It is plain by these extracts from the utterances of the new President that Hancock and Adams made no mistake in selecting Dr. Langdon as a true patriot, ready to go as far as themselves in asserting the liberties of free-born English subjects. How was he in the other requirements for a college president? Dr. Stiles, in 1779, when in his first year of presidency at Yale, made these observations on the Harvard Presidents whom he had known: —

"Mr. Holyoke was the polite gentleman, of a noble commanding presence, and moderated at Commencements with great dignity. He was perfectly acquainted with academic matters; of a good degree of Literature, both in languages and sciences, particularly in mathematical-mechanic Philosophy; yet was not of great erudition. Qualified, however, exceedingly well for the presidency, especially as he had a good Spirit of Government; which was partly natural to him, partly acquired from President Leverett, who ruled and governed with great dignity. Dr. Locke was scarcely equal to Mr. Holyoke in classical knowledge, but much superior to him in the sciences, and in penetration, judgment

and strength of mind. He was excellent and amiable in government, though he did not equal the dignity of his predecessor. And yet he was a greater literary character. Just entered into the career of glory, his sun went into an eclipse. Dr. Langdon's literary character was similar to President Holyoke's."

It will be inferred from the omission of "a Spirit of Government" in Dr. Langdon's portrait that he was lacking in discipline, and such I conclude to have been the fact. Yet the records of the Corporation and Faculty, which I have examined, do not show half the frequency of insurrections and tumults among the students that appeared under Dr. Holyoke, and less by far than under President Quincy himself, who cites John Eliot as saying of Langdon, "He wanted judgment and a spirit of government." In a letter to Dr. Stiles when he had been nearly five years at Harvard, Dr. Langdon said: "I have met with continual difficulties since I have been in my present station, by the war and the fluctuating medium; yet I do not repine, as I think divine providence pointed out my path of duty." Here is no hint of disorder or the perils of false brethren, of which even St. Paul complained, and which, I judge, were the real cause of his resignation. On the 11th of September, 1780 (the same day that John Eliot wrote to his brother-in-law his gossiping version of the resignation), Dr. Stiles entered in his diary: "The Reverend Dr. Langdon resigned the Presidency of Harvard College on account of the dissatisfaction of the scholars; but not for any immorality or impeachment of his character, — it being venerable for virtue."

At a later date (December 21, 1780) Dr. Stiles writes,—

"Received letters from Mr. Moody, Dummer School master, inclosing from President Langdon his resignation of the presidency, with the acceptance of this resignation by the Overseers, dated Sept. 13. He at the same time received great testimonials of his learning and piety. He has a call to settle again in the work of the ministry at Rowley. This morning I sent a letter to him."

This entry shows that the Corporation did not make public his letter; indeed, they seem to have been rather ashamed of their part in the affair. A month later, (January, 1781) Dr. Stiles writes: —

"President Langdon was installed Pastor of the church at Hampton Falls. God grant that he enjoy His presence, and a tranquil old age! This good Gentleman has passed through a great variety in life. His example is a very instructive lesson for me. May I profit this by it, at least, — not to promise myself any great things in life, and least of all any Glory from the Presidency."

The following October, after a visit to his and Dr. Langdon's church at Portsmouth, including two hundred and thirty families, Dr. Stiles dined with this "good Gentleman" in the small parsonage at Hampton Falls, "where he is settled over seventy-two families, — salary £42 and eight cords of wood, and on Benevolence." By this was probably meant that wealthy friends contributed to increase his stipend; which was soon raised by the town to £60. In accepting the situation at his new parish, where he remained nearly seventeen years, Dr. Langdon wrote: —

"I have seriously attended the call to be the minister at Hampton Falls, given on the eleventh day of December, 1780, — to devote my labors in the ministry of the Gospel to the service of the Parish. Notwithstanding some discouragements which have appeared in my way, and the earnest applications which have been made to me by some other parishes, where there was a prospect of a peaceable and quiet settlement, — I cannot but apprehend it to be my duty to comply with the call of this Parish.

"Considering the unhappy divided state they have been in for so many years past, and hoping I am not mistaken in judging it to be a call from God, by the intimation of his Providence, I do hereby declare my acceptance of their call, together with the provision made for that part of my support which is granted, — the deficiency of which is to be made up by the Brethren of the church and congregation. And relying on the gracious assistance of our Lord Jesus Christ, I shall make it my constant care and labor to fulfil the duties of the Gospel Ministry in this place, to the utmost of my abilities, so long as God shall continue me among this people."

This promise was faithfully kept. His predecessor, Paine Wingate, a brother-in-law of Colonel Timothy Pickering, and with something of the stiffness of that old Essex Cato, had kept the town in a broil for years, but finally withdrew in 1776, and engaged in political life. Dr. Langdon avoided that distraction, although he accepted the choice of the town as delegate to the State Convention to ratify the Federal Consti-

tution of 1787, and in that position had a large share in persuading the rural democracy of New Hampshire to accept the work of Washington, Madison, Hamilton, and their associates. This brought him into active association with his old Portsmouth hearers and friends, John and Woodbury Langdon, and with General Sullivan and the Gilmans of Exeter.

Having now brought back Dr. Langdon to his earliest task of indoctrination and pastoral care, it is time to consider where he stood theologically. A century and a quarter ago, as in more recent days, Harvard College was suspected of heresies in dogma. Andrew Eliot, who may have been something of a talebearer and mischief-maker like his brother John, told Dr. Stiles, in 1778, that he wished Stiles were President at Harvard; and in July, 1778, his father, Dr. Andrew Eliot, anxiously wrote: —

"In a letter from my son by the last post, he says, 'I have received a letter from Mr. Bartlett wherein he tells me that Mr. Jonathan Bird of Hartford, a candidate for the ministry, was his informer relative to the prevalence of Deism at Harvard College. "He told me," says Mr. Bartlett, "that one half, or about half of said College were supposed to be Deists; and also that two ordained ministers not far from Boston were thought to be Deists." He did not name them, nor tell me who was his informer. I should rejoice if this should prove a mistake.' Who Mr. Bird is I know not. If he be a son to Mr. Bird of New Haven, I should think he was embittered by his father, who was expelled from Cambridge."

This charge of Deism, of course, was a slander. But Dr. Stiles in the summer of 1777 seems to have had some question about Dr. Langdon's soundness on Original Sin, Election, etc., and drew him out one day at Portsmouth, when the President was in vacation and visiting his former congregation. This is Dr. Stiles's report of the conversation: —

"The President has some peculiar ideas in Theology. He is no Socinian. The soul that suffered in the body of Christ was not a human soul, nor was it the essential Deity, but the λόγος, — the first-born of every creature, a distinct intelligence from that of Jehovah, but intimately united with Deity, so that God is in him. The original state of this world was such that both the vegetable and animal world were subject to mutation, revolution, Death: particularly that all animals would after a term die, and man among the rest. This was the natural state.

But God promised Adam in Paradise an exemption from death if he obeyed; but if he disobeyed he should die, — that is, be left to the course of nature. This death Adam understood to be a cessation of being; it was not a futurity and perpetuity of misery and suffering. It really would have been annihilation, had it not been for the purposes of Grace. And so his posterity had no concern in his sin, upon the first covenant or command. Least of all was it a part of Adam's penalty that he should derive guilt and corrupt nature to his offspring. And so he was not, in this sense, originally a federal head. But upon God's purposing to continue Adam in existence for the purpose of Grace, he then became the natural head of his posterity: and, as the sentence of death was not reversed, he became a federal head, to the purpose of bringing his posterity into a world under a natural state of animal mortality, instead of that exemption from this natural mortality promised to Adam; and though not promised to his seed, yet would probably have been granted to them also. Hence Adam is and becomes a federal head (if not before, yet) after the Fall to all his posterity; so that thereby they are subject to the death of the body; and so 'in Adam all die.' Born into a state of sin, temptation and mortality, they all sin; and the world lieth in wickedness, and they deserve future as well as present punishment. God was disposed, from the benignity of his nature, to shew mercy; but it was necessary for the dignity of his government that he should shew a testimony of his abhorrence of Sin. This was done in the sufferings of the Mediator, through whom God is reconciling the world. . . . I did not well see his ideas of Christ's atonement and satisfaction. He held Christ's sufferings vicarious, and beyond those of the Martyrs, and so as to be a testimony of God's displeasure against sin, but not equal to the sufferings due to sin, — the dignity of the person rendering a less suffering an adequate and sufficient testimony, against sin. But I did perceive that in his mind satisfaction arose from and consisted in the created nature of Jesus Christ being upheld by Omnipotence, and so enabled in a few hours to sustain a load of intense woe, equal to the misery which lay upon the elect, and yet he seemed to conceive a suffering laid upon him, above all the pains of natural death, (i. e. of bodily death, even by the torture of Crucifixion) something to testify the divine displeasure against sin.

"The Doctor was (like Dr. Watts), I suppose, originally initiated in Calvinism, and became, in the first of his ministry, of the connection of Mr. Whitefield, and continues so to this day. An extensive acquaintance, and a disposition to converse upon and discuss every subject, obliged him to meet the objections both of Deists, Arians, Arminians, Socinians. Their artillery carried metal rather too heavy for his understanding. However, he always appeared to have stood the attack; yet in many places was giving ground. Like a generous and noble

mind, he entered with spirit into the field of FREE INQUIRY; he cleared much ground, and settled many points profoundly, justly, masterly, and like an enlightened Divine; and as to much, also, he is left plunged in unfinished researches. Guyse and Doddridge he loves and esteems; but Taylor, whom he renounces, I think, has got the ascendancy and greatest hold of his reasoning powers. And yet his notions on Original Sin are neither Locke's nor Taylor's, but Dr. —— [Edwards's?] whose treatise on that subject is unpublished."

Through the mist of an obsolete terminology, I seem to recognize here a rational attempt to free himself from the heavy fetters of Calvinism, in which the New England mind lay so sadly imprisoned for two centuries. When I was in Harvard College (1854), there came over from Shropshire a nephew of Bishop Heber, Thomas Cholmondeley, uncle of the more recent novelist, Mary Cholmondeley, who stepped out to Cambridge to see a few of us, and who had before visited Emerson and Thoreau at Concord. When Emerson had introduced me to him, as we were walking towards the Walden woods, and the English theologist was returning from his solitary walk therein, Emerson went on to describe him to me. "He is better acquainted with *things* than most travelling Englishmen; they are a singularly verdant race. The Englishman who stays at home, and attends to what he knows, is one of the wisest of mankind; but their travellers are most unobservant and self-complacent. Cholmondeley told me that he went to hear a Mr. Parker in Boston, — thought him able, but was shocked at some of his doctrines. He then began talking to me [Emerson] about Original Sin, and such things; but I said, 'I see you are speaking of something which had a meaning once, and the world got good from it, but which is now grown obsolete. Those words formerly stood for something, — but not now.'" We must say the same, I think, of Dr. Langdon's theory of death and salvation, as interpreted by Dr. Stiles. The latter looked on himself as "Evangelical," but had doubts about his Portsmouth preceder in the First Church pulpit. In another part of the diary, speaking of his congregation at Portsmouth (whence he was taken in 1778 to preside over Yale College, thereby putting Dr. Dwight's nose out of joint, as the ungodly said), Dr. Stiles observed: —

"The more polite part were ambitious of having a learned sensible man; the middling and lower people were for an Evangelical preacher,

whether learned or not, — they had not found these united in one man. The Evangelical preacher they found in me, and were so united that the higher and more fashionable part acquiesced; though themselves could have wished one to have preached more in the air of St. James or Paris; and yet I am told it is their hearty desire for themselves, as well as the flock. They all say that they shall never be so united again."

It is probable that Dr. Langdon had pleased this Portsmouth parish equally well, and that he had "the air of St. James [meaning the palace and not the Apostle] or Paris" rather more than Dr. Stiles. The latter expressed surprise, July 28, 1777, that "Dr. Langdon understands all the Apocalypse"; in evidence of which the good old man at Hampton Falls in 1791 published, through his friend Isaiah Thomas at Worcester,

"Observations on the Revelation of Jesus Christ to St. John. Which comprehend the most approved sentiments of the celebrated Mr. Mede, Mr. Lowman, Bishop Newton, and other noted Writers on this Book; and cast much additional Light on the more obscure Prophecies; especially those which point out the Time of the RISE AND FALL OF ANTICHRIST."

This work (337 pages) was in part delivered as sermons to his seventy families at Hampton Falls, sometimes standing in the broad aisle, when a recently broken leg kept him from mounting the stairs to the tall pulpit under the sounding-board, which I well remember. Dr. Langdon's Antichrist was the Roman Church, which, in the storm of the French Revolution, seemed to be falling like the mystical Babylon of the Apocalypse. He thus sets forth his view: —

"The capital of the empire of Antichrist is repeatedly called Babylon in the Revelation. The name is figurative and mystical: Rome is the city really meant. . . . We are plainly informed in the seventeenth chapter what kings are to be employed in destroying the great harlot, the city and Church of Rome: the very kings who at first agreed in one creed, and gave their power to the Beast. These kings will at length entirely change their minds, and become the most zealous enemies to that ecclesiastical empire which they themselves had established. They will find out that Rome has caused insurrections against them, and fomented rebellions and seditions; and that the religion they have promoted has drained away their wealth, encouraged and multiplied drones in society, and impoverished and diminished their subjects. In the execution of vengeance, the river of wealth which was continually flow-

ing through Rome and the Church will be dried up. Vast revenues which the popes formerly received have been greatly diminished by the Protestant Reformation. Moreover, when the Church of Rome is no longer mixed with the civil polity of the kingdoms, her sources of strength as well as wealth will be cut off, and the way prepared for her utter ruin. Likewise, the dissolution of the numerous orders of ecclesiastics in the several kingdoms, which have been the gates and bars of Rome, will leave her exposed to a sudden assault, which may at once bring down all her power. Of this we have already seen some approaches, in the total suppression of the order of Jesuits, and the methods taken in several Roman Catholic kingdoms for the abolition of convents. The banishment of the Jesuits, . . . with the suppression of convents, may naturally be considered among the things signified by the Sixth Vial. . . . The Bishops of Rome had obtained a grant of supreme ecclesiastical jurisdiction over all the western churches, A.D. 379, and immediately began to exercise it. Of this jurisdiction the illustrious Sir Isaac Newton has produced abundant proof, in his observations of the power of the eleventh horn of Daniel's fourth Beast."

Neither Newton nor Langdon, if now living, would expound Daniel or Revelations; these two books being no longer regarded by scholars as prophecy, but as history mingled with invective and fable. Yet a century ago it would have been sad heresy to intimate that any of the alleged canonical books of the Bible were to be read exactly like other books; and prediction by divine order has ceased to interest minds of the rank of Langdon's or Newton's. When, therefore, Quincy spoke of Dr. Langdon as "credulous and visionary," he probably had in mind such writings as the above. But how few of the contemporaries of Dr. Langdon rose above the religious traditions in which they had been educated! It appears that Langdon had been computing and astrologizing on the meaning of the Vials and Horns and Beasts in the Apocalypse for half a century when he published this book, and had announced to his friends that nothing "directly tending to the destruction of Antichrist's empire might be expected until about the year 1760." Then it came; the Jesuits lost control and were banished,—next came the American Revolution; and now, in 1791, the outlook is dark for Antichrist: —

"The world is roused to a sense of civil and religious liberty by the spirit of America. France is searching the foundations of despotism,

and establishing on its ruins the freedom of a great nation; and God has given them a king to be the restorer of liberty, and a second Washington to command their national troops. May we not look for events more and more remarkable, until all the nations of Europe shake off the yoke of ecclesiastical tyranny, and assert the rights of nations and of conscience?"

This was a generous anticipation, shared by Coleridge and Wordsworth, and thousands of the best men of the eighteenth century; and it is to the credit of the old doctor of divinity that he kept so youthful an outlook on the world, after all his experiences. What Dr. Stiles reported in 1777, in regard to Dr. Langdon's peculiar opinions, was confirmed by Langdon himself in 1794, when he printed at Exeter, New Hampshire, his "Remarks on Dr. Hopkins' System of Doctrines." This was perhaps his last publication, and in style it is one of the best, — using now and then that mild wit which he had for purposes of gentle satire. As is well known, though few now trouble themselves about Dr. Hopkins and his Hopkinsians, they laid great stress on "disinterested benevolence," which phrase gives point to this passage in Dr. Langdon's "Remarks": —

"That I may not be thought deficient in the great duty of disinterested benevolence, I will leave Dr. Hopkins in the full enjoyment of his happiness in the prospect of that millennium which he has so particularly described. That there will be a millennium I cannot doubt. But that all wicked men will first of all be destroyed by wars, pestilence, earthquakes, famine, etc., and none but good Christians remain, who will propagate their own faith from generation to generation, until Gog and Magog arise, is not quite so clear. Yet, since he is so very confident that such a happy state is drawing nigh, as to write a dedication of his work to the Inhabitants of the world in that glorious Era, I will say nothing to prevent its reaching to their time."

John Eliot, in his youthful attack on the new President of his College, in 1774, scoffs a little at Dr. Langdon's exposition of Romans. It is clear that the worthy pastor had a theory about Paul and the two long Epistles ascribed to him, — Romans and Hebrews. He told Dr. Stiles that they were very clear to him; and in this final essay in rebuke of Dr. Hopkins, he says: —

"I was very unwilling to find any fault, and hoped to see everything written with clearness, and according to the simplicity of the Gospel.

But my hope has been greatly disappointed. I see all the subtilties of artful reasoning made use of, instead of a plain manifestation of the truth. If the Apostles had gone through the world preaching in the same manner, few would have understood them, and they must have taken very particular pains with every new convert, to acquaint him fully with their meaning, and teach him all the refinements of their system. But they were content with plain reasoning from facts, addressing themselves to the common sense of mankind. What they taught was always important, never designed to amuse with useless speculations or curious questions, but to enlighten the understanding, and bring men into subjection to Christ's government. The Holy Spirit has designedly given Christians a concise system of those evangelical doctrines which the Apostles preached everywhere, in two excellent Epistles of Paul, to the Romans and to the Hebrews."

Dr. Langdon continued to preach until within a few weeks of his death, which preceded that of Washington by little more than two years, though he was nine years older than the General. His friend Dr. Stiles, though four years younger than Dr. Langdon, died in 1795, two years earlier. They had been good friends for many years, and it was with Dr. Langdon's entire good will that Dr. Stiles succeeded him for a year or two in the great Portsmouth parish, which both of them left to become college presidents. Dr. Langdon retained his interest in the Portsmouth house till death,[1] and it passed, in consequence of his daughter's marriage with Dr. John Goddard, into the possession of that gentleman. At his death or earlier it went to his daughter, the granddaughter of Dr. Langdon, whose married name was Pickering, and it is her daughter, Mrs. Mary Pickering Harris, who now owns and occupies it. No portrait of President Langdon has yet been found; and yet, like his distinguished neighbor in Hampton Falls, Colonel, Judge, Speaker, and President Weare, he was not too modest to sit for his picture.[2] He

[1] By his will it appears that Dr. Langdon had made a deed of gift of this house to his son Richard, then of Portsmouth; but he afterward removed to North Carolina, and the house passed to his sister, Mrs. Goddard, who left it to her daughter, Mrs. Pickering.

[2] Mr. Paul H. Langdon, of Augusta, Georgia, writes me that there was a portrait of his great-grandfather the Doctor; that it was taken to Worcester and got into the "Library or Academy of Arts and Sciences at Worcester," but that in moving into a new building it was lost, or fell into the possession of some one unknown. He adds: "Mr. D. S. Messenger was one of the trustees of that library, and informed me that he had made diligent effort to find the portrait.

died November 27, 1797, leaving a small but very learned library to "the Church at Hampton Falls for the Use of the Ministry." Some thirty or forty volumes out of more than a hundred still remain there, and have a special case in the Town Library. A few of them, purchased through my mediation by Theodore Parker, are now in the Boston Public Library; others are scattered among the descendants of his successors in the pulpit or of his parishioners.

The College presidency of Langdon, though a conspicuous episode in his active life of seventy-four years, was but an episode; laborious and painful in its conditions, but more honorable to him than to those who caused his election and his retirement. He was installed by a kind of subterfuge on the part of the Fellows, in order to avoid admitting the new mandamus Councillors and the lieutenant-governor of the Province as Overseers, or allowing the question of their right to be raised. It was feared or known that they would oppose, and so the clerical Overseers waived their right to be present at the instalment. We owe a knowledge of this fact to the invaluable diary of Dr. Stiles, which says (1774), —

"October 28, at an adjourned meeting, the Overseers voted to leave the instalment to the Fellows, who installed Dr. Langdon without the presence of the Governor, Lieutenant-Governor and Council; and thus avoided determining the question whether the new Councillors were Overseers."

From the same diary we learn the value of the College funds and the salaries of the President and professors. All the funds in 1774, including the Hollis funds, gave an income of £900; the General Court gave £450 yearly, and the fees, etc. brought up the income to £1,500 in Lawful money, — $5,000. The President had from the Province grant, £200, and expected £240 in fees; but Dr. Langdon never received so much. Two professors got £150 each; the other, £200;

His son-in-law, James Greene, a lawyer of Worcester, or some member of his family may be able to give information about it. It may possibly have been found since Mr. Messenger's death." It has occurred to me that this portrait may have been sent to the American Academy of Arts and Sciences at *Boston*, of which Dr. Langdon was an original charter member, for there has never been a society of that name at Worcester. Should any of my readers know any portrait, even a small silhouette, of Dr. Langdon, at any period of his life, I will thank him to communicate with me at Concord, Massachusetts. — F. B. S.

the four tutors £100 each, and the malcontent librarian £50. It is doubtful if Dr. Langdon's yearly salary averaged £150 in silver; but he had property in New Hampshire, and was comparatively independent, — which makes the account by John Eliot, soon to be quoted, seem improbable in several points. But few public exercises occurred during his six years' presidency, owing to the disturbed times; but of two exhibitions, 1779 and 1780, we have accounts. Dr. Stiles writes:

June 18, 1779. "A new and very public examination of candidates for the degree of A.B. was celebrated at Harvard College, — at least Examination was attended in an uncommon manner. The Corporation and Overseers were present on the occasion. In the afternoon there was a procession to the Meeting-house, when President Langdon began with prayer, and then delivered a Latin Oration. There followed a salutatory Oration, a forensic Dispute, syllogistic Disputes in Latin on two questions; an Hebrew Oration, a Dialogue, an Anthem. These were all the academic exercises of Commencement, except conferring degrees upon the candidates. Yet the Corporation, with consent of the Overseers, conferred the doctorate of Laws upon Major General Gates, and the French consul residing at Boston."

This was three years after the same degree was given to Washington. The diploma conferring that honor was composed by Dr. Langdon, and stands on the records of the Corporation in his bold and legible script. It recited in picturesque Latin Washington's public career up to April, 1776, and spoke of him as "Imperator præclarus, cujus scientia et amor patriæ undique patent"; who had been chosen to that "Consessus Americanus celeberrimus" by his fellow-citizens; "deinde, postulante patria, sedem in Virginia amœnissimam et res proprias perlubenter reliquit, ut per omnes castrorum labores et pericula, nulla mercede accepta, Nov-Angliam ab armis Britannorum, iniquis et crudelibus, liberaret, et Colonias ceteras tueretur."

Then, after briefly relating his rescue of Boston from the "naves et copias hostium," the diploma goes on to confer the grade J.U.D., commonly abbreviated now LL.D., thus: —

"Sciatis igitur, quod nos Præses et Socii Collegii Harvardini in Cantabrigia Nov-Anglorum (consentientibus honorandis admodum et reverendis Academiæ nostræ Inspectoribus) Dominum supradictum, summo honore dignum, Georgium Washington, Doctorem Utriusque

Juris, tum Naturæ et Gentium, tum Civilis, statuimus et creavimus, eique simul dedimus et concessimus omnia jura, privilegia et honores ad istum gradum pertinentia."

The only criticism I would make on the Latinity of this document is that an occasional use of "atque" and its abbreviation "ac" would relieve the uniformity of the dozen "ets" in it.

In September, 1779, Dr. Langdon had a shaping hand in those articles of the Massachusetts State Constitution that relate to Harvard College; which in this formal document is styled "the University at Cambridge," varying from the form used in honoring Washington. The provisions relating to the University have been proved by experience to be sagacious and useful, — qualities that mark the work of Langdon whenever he touched on public affairs and left his clerical chimeras and predictions. Clarendon's objurgation against the English clergy — "who know the least and take the worst measure of human affairs, of all mankind that can write and read" — could never apply to this wise cleric.

In the spring of 1780, shortly before his resignation, the College gave a May Exhibition, of which I find on the records this programme, with notes of identification added by me: —

"Latin salutatory, by David Leonard Barnes;

Forensic Dispute on Emigration, by Dudley Atkins Tyng of Newburyport, and George Henry Hall.

An English Dialogue by Nehemiah Mason, Arnold Welles and Samuel Williams.

A Hebrew Oration, by Isaac Reed.

A Greek Dialogue by Bezaleel Howard and Elijah Paine, (of Vermont).

A Forensic Dispute on Toleration, by Joseph Prince, T. W. Russell and Jacob White.

An Original Composition (English) by Peter French.

A Poetic Composition on the Progress of Literature, by Samuel Dexter of Boston, afterward Secretary of War, etc. under Madison.

A Latin Dialogue, by John Davis of Plymouth, afterward Judge and President of the Historical Society, — and Abiel Heywood of Concord, — afterward town physician and town clerk there for many years.

A Latin Ode, by William Croswell.

Some Astronomical Calculations, by a student not named."

I also find that some theses were proposed (probably by the President) which the Faculty unanimously disclaimed, in the following summer. This may have been connected with the insubordination now to be recounted.

The most minute statement concerning President Langdon's resignation that I have seen in print is found in a letter of September 11, 1780, from the same John Eliot, — by this time a settled minister in his father's Boston church and an Overseer of the College. It is fuller than the account given by Quincy, though the latter does more justice to Dr. Langdon's letter, and this is its substance, — the date being two days before the Overseers and Corporation accepted the resignation: —

"I shall be very particular in informing you of every circumstance [to Dr. Belknap at Dover], for I know you to be a very particular man, and that you are accurate in collecting things in order to form an opinion, and as accurate in your judgment when all circumstances are before you. The President has long been growing unpopular, more especially among the students of the College. So disgusting hath he been in his whole deportment, that they would have held him in detestation, if this sensation had not been absorbed in mere thorough contempt. Yet, after all which can be said, all his foibles did not amount to a vice when completely converged into one point of view; much less unworthy doth he appear when these are separated from each other, and blended with his good qualities. As to the total disqualification for the office he sustained, I always had the same opinion which I hold now, that he was no ways proper to appear in the station; and that no man who wished well to him or to the interest of Harvard College would, *with the same opinion as mine own*, not rather have seen him elsewheres.

[This amounts to saying that John Eliot, at the sapient age of twenty, had formed an opinion which he continued to hold at six-and-twenty; and that if others held the same opinion, they would think as John Eliot did, — which resembles an identical equation]. "*Sed sic visum est superis*, — at least to the Corporation, who were the immediate electors.

"His resignation was as surprising to me as it was to any person the furthest distant from the College. It happened, it seems, in this manner. The scholars unanimously formed a petition, which was to be presented to the Corporation, begging them to remove the President. What the articles were can be known but imperfectly, as they came to a determination to conceal the contents. Among other things, tho', I hear that his unbecoming way of addressing the Deity was one. There

was a committee chosen to acquaint the President with the petition, who addressed him in these words: 'As a man of genius and knowledge we respect you; as a man of piety and virtue we venerate you; as a President we despise you.'"

This does not seem a very probable account, and is not confirmed by President Quincy, who seems to have had no difficulty in ascertaining the charges made by the three upper classes with the connivance of Librarian Winthrop. They were "impiety, heterodoxy, unfitness for the office of preacher of the Christian religion, and still more for that of President." If the Sophomores, Juniors, and Seniors, to the number of ninety, are allowed to be better judges of piety, orthodoxy, and fitness to preach than the thousands of grave men and women to whom Dr. Langdon had been preaching for a whole generation, and the thousand or more to whom he preached acceptably for seventeen years longer, — which does not look reasonable at first thought, — then these charges might be said to have some foundation. Mr. Quincy says, however: "There was not a shadow of foundation for any one of these charges except the last, — of which the spirit in which this insolence was received may be considered an evidence." It might be an *indication*, but hardly *evidence*, as the term is understood in law. No other evidence appears, except what Mr. Quincy terms "a combination of students, to whom he had become obnoxious, and whose dissatisfaction was countenanced, if not excited, by men connected with the government of the institution." He adds that Dr. Langdon was ignorant of his unpopularity; which, in a man so sensitive, is very good evidence that it was no more than one of those temporary gusts of feeling from which President Quincy himself suffered while in office. But let us hear the impartial and compassionate young Christian Endeavorer further, — I mean John Eliot, æt. 26: —

"Dr. Langdon now added another to his many imprudences. He declared to the scholars that he was sensible of his incapacity for the office, imputing it to the weak state of his nerves, and gave them a promise that he would resign. He prepared his resignation to be presented to the Board of Overseers, at their meeting last Thursday. [This would be September 7, if Eliot's letter is correctly dated; but in fact it was received by the Corporation September 1 and accepted

September 13, — six years, lacking a month, since the Corporation installed him without the presence of the Overseers, in order to avoid recognizing the Royal Councillors as Overseers.]

"The forthputting, officious gentleman, Dr. Gordon [the historian of our Revolution, then preaching at Roxbury, and an Overseer], now suffered his zeal to boil over, and persuaded the President (*ut credo*) that he might still remain in office, and that *he* would be his advocate at the Board of Overseers. At the meeting Mr. Bowdoin read the resignation. It was well drawn up. Nothing was said of the uneasiness with the students. One would suppose the whole originated with himself. He said the place was disagreeable to him; that he found himself so debilitated by nervous disorders that he could not go through with his course of duty. 'My memory fails,' said he, 'my taste for academical studies decreases; my fondness for shew and public notice is lost; and I wish heartily to retire.' [I have already pointed out that the letter does not warrant this construction.] He then described very pathetically the disadvantageous circumstances of his coming to Cambridge, and the many losses and troubles he had met with during his continuance there; requesting that he might live in the provincial mansion house, etc."

He really only asked that his family might remain there till his house in Portsmouth was ready; and there is nothing to show that he lived there a day after September 13. Early in October, the General Court being in session, he presented a schedule of his legal salary for five years, ten months, and thirty days, at £200 in specie per annum, and amounting to £1182 13*s*. 6*d*. — of which he had received the equivalent of only £685 7*s*. 11*d*. This left a balance due him of £497 5*s*. 7*d*. The Senate and the House voted him £497 10*s*. at once; and a warrant for that sum was drawn up on October 3, twenty days after his resignation took effect, and put in Dr. Langdon's hands. This original warrant may be seen in the Secretary's archives at the State House, where I recently examined it. It gives him the sum named (about $1656), "for and in consideration of his faithful discharge of the duties of the office of President, and to enable him to remove his family and effects." Mr. Quincy says that the Overseers "acknowledged the reasonableness of his requests, and the inadequacy of his salary and emoluments for his support, and engaged to use their influence with the legislature to obtain a grant in compensation for the deficiencies." Probably they did so, though no record of this appears on the files of the General Court, where

Dr. Langdon's petitions and the votes of the two houses are recorded.

John Eliot went on in his sympathetic account thus: —

"Dr. Langdon is really an object of pity. Even the scholars who have been so active in his dismission think so. They attested to his good character in a unanimous vote presented to the Overseers, wherein they mentioned him as a man of learning, and most excellent character, rendered him many thanks for his past services, and expressed the most earnest desire that the remainder of his days may be comfortable and happy. This vote is also accompanied with a subscription for something by way of present. I believe that many thousand dollars will be subscribed for him, if Gordon don't spoil the whole by his impertinence and nonsensical reveries. He blazed away at the meeting; insisted upon it that this whole proceeding arose from the mere malice of one of the governors of the College (Mr. Winthrop the librarian), who had the impudence to tell Mr. and Mrs. Langdon to their heads that he had long sought an opportunity to revenge an affront offered to him by the President some years since, and now that he was gratified."

Tantœne animis celestibus iræ? I apprehend this is the only instance, in the long story of Dr. Langdon's life, when he "offered an affront" to anybody. He was a man of sincere politeness and, as his conduct on this occasion showed, of admirable Christian forgiveness; taking, in the true spirit of a gentleman, the whole burden of his withdrawal upon himself, but as little likely to accept a present from the insurgents who had insulted him as President Quincy himself. As for this alleged subscription of "many thousand dollars," it is nowhere heard of except in this Eliot letter, so full of guesses and predictions. Dr. Langdon's statement to the General Court shows that, in May preceding, $5,000 in paper only meant in silver $150, and would hardly pay his support for two months, as prices then were. Moreover, the students were themselves so poor that they asked to be excused from Commencement exercises because they could not afford the cost; so that we may suppose this lordly subscription existed mainly in the warm imagination of Eliot. Considering how he had been treated, and was to be still further, by those who had contracted to pay him his salary, Dr. Langdon must have felt as did that minister who, taking up a collection and getting nothing but three buttons and a counterfeit bill, raised his hands to Heaven from his inverted hat, and said, "I thank

Thee, O Lord, that I have got my hat back from this congregation." Eliot goes on: —

Dr. Gordon "moved the matter should be inquired into, the students should be severely censured, and the whole scene of iniquity should be unfolded. *Fiat justitia, ruat cælum*, he repeated, and seemed in a pet, as if the rest of us were a party joined together to destroy the President. We felt as much as he could be sensible of, but judged very differently from him about the whole affair. We see the absolute necessity of his leaving Cambridge, which the Doctor himself could not deny; notwithstanding him, aim to do something. We thought it best he should depart as privately as possible, that the circumstances might not be too much the subject of speculation, but that things might appear as if all things came and were determined by himself. We knew that a little matter would cause the subscription paper to flag, and that any measures to censure the students would provoke them to withdraw their generosity."

Messieurs the students seem to have been absolutely in control of the College in this strange affair, — far more so than when, in 1776, they revolted in a body, at the leading of Asa Dunbar, grandfather of Henry Thoreau, rather than put up with bad butter at their Commons. Finally, says Eliot, their submissive Overseer: "For mine own part, I wish that they had first accepted the resignation; but the Overseers saw fit to appoint a committee, for the mere formality of a consultation with him, and they are to report next Thursday" (September 14). When that day came, the Corporation had accepted the resignation, which Dr. Langdon had probably never thought of withdrawing, and he soon left Cambridge, allowing the shabby Overseers and Corporation to make their own disposal of the publicity of their conduct, and the "generosity" of the impudent students and envious Faculty. They seem to have carried out the Eliot idea of secrecy; for they never published Dr. Langdon's letter, and almost no mention of the matter remains on the files of the College correspondence, so far as I can discover. Mr. Quincy found a letter of Mr. Storer, the successor of Hancock as Treasurer (October 20, 1781), in which that member of the Corporation asserted his opinion that if Dr. Langdon had asked their advice, the Corporation would have requested him "to have deferred your intention to some future time." And Mr. Quincy adds: —

"It is probable that Dr. Langdon became subsequently aware that the students had been made the instruments of others, possibly of men connected with the government of the institution, and that the feeling of self-distrust, which led to his resignation, had been succeeded by feelings of a very different character."

For "self-distrust" I should here read "self-respect," and there is no reason to suppose that this feeling ever changed. When Dr. Langdon found that his warrant on the State Treasurer, Henry Gardner, for about $1,656 in "bills of the new emission" could not be paid in October, 1780, because Mr. Gardner alleged there was no money in the Treasury, he waited patiently till September 3, 1782, when upon a petition from him of the previous summer the General Court referred it to a Committee, which reported in the Senate, July 3, 1783, that the full sum of £497 10*s.* should be paid in silver. The Senate voted this. Samuel Adams, the old and stanch friend of Dr. Langdon, signed the resolve as President of the Senate in a trembling hand, and sent it down to the House, which stingily non-concurred, July 11, 1783. Nothing further was done until March 22, 1784, when the Senate again passed a resolve, again signed by Adams as President, by Tristram Dalton as Speaker of the House, and by John Hancock as Governor, that the sum of £320 should be paid to Dr. Langdon in specie, "on condition of his returning the warrant of 1780 for £497 10*s.* to the Treasury." Upon this the Hampton Falls pastor, in a petition dated June 8, 1784, again addressed the repudiators of Massachusetts in a petition thus: —

That your Petitioner accepted a call from the Honorable Corporation and Overseers of Harvard College to the office of President of that University, and was introduced into that office on the 14th day of October, 1774: that in the full prospect of the horrors of war, added to the ordinary difficulties and labors of that important station, he nevertheless was encouraged to engage both in the service of the College and the liberties of his Country, by a persuasion that he might securely rely on the public honor for the same support which had for many years been granted to the Presidents of that literary Society:

That when he found both his body and mind so much overborne with extreme burdens and fatigue that it was best to resign his office, it appeared that his expenses had very much exceeded the annual grants; and that he could not pay the sums which he had borrowed to defray his necessary expenses.

That your petitioner in 1780 presented to the General Court then sitting, a true state of the arrearages of his salary, amounting to £497 5*s.* 7*d.* lawful silver money; upon which the General Court granted the sum of £497 10*s.*; for which he received a warrant to be paid in bills of the new emission, which the Court then estimated, upon the authority of Congress, as equal to silver. That your petitioner repeatedly presented the said warrant to the Treasurer, as long as there seemed any ground of hope that the aforesaid bills might obtain a currency at their original value; but never could procure payment, — the Treasury not being supplied.

That ever since it became evident that the said emission was greatly depreciated, your petitioner has been endeavoring to obtain his just arrearages by applying to the General Court for a new warrant on the Treasury; that the Resolve passed in the last Court, on the 23rd of March, granting only £320 specie, in lieu of £497 10*s.* specie, (which is justly due according to the rules of Honor and Equity, as may easily appear by a review of the State of the account annexed to this petition), *would suggest to your petitioner very painful ideas*, if he did not persuade himself that the said Resolve was founded on some misapprehension of the real state of the case:

That your petitioner is not able to discover any reason why the full sum should not be granted in specie, together with the interest of what has been so long due; especially as he himself is paying interest for money which the defect of the annual grants constrained him to borrow.

Your petitioner therefore earnestly looks up to this August Court, in which he views the collected wisdom and justice of a most respectable Common-wealth, and prays that your Honors would rectify the mistake on which the Resolve of last March in this case is evidently founded, and grant him the balance due for his services while in office, with the interest, — not as if his claim had been only in bills, at a depreciated value, but as it really was and is due in specie: that, after the peculiar labors and difficulties he endured in his public station, and hearty exertions in the cause of his country, he may not be cut off from that support which has been readily granted to Presidents of that Society not exposed to the same hardships and dangers.

And your petitioner shall ever pray, etc.

SAM'L LANGDON.

This plain and convincing statement was referred, June 14, 1784, to a committee consisting of Abraham Fuller of the Senate and Thatcher and Mitchell of the House, who examined the matter in the recess of the General Court, and found the following state of the account: —

WHOLE AMOUNT OF SUMS RECEIVED BY PRESIDENT LANGDON.

	Paper,	Specie,
1775, Oct. 14,	£200,	£200.
1777, Feb. 20,	224, 5. 5.	224, 5. 5.
1778, Feb. 2,	200,	56, 19, 7.
1778, July 16,	200,	45, 13, 3.
1779, April 1,	123, 18	11, 4, 5.
1779, May 18,	180,	13, 18, 10.
1779, June 19,	696, 2,	48, 15, 7.
1780, Feb. 1,	£2000,	60, 4, 1.
1780, May 11,	£5000.[1]	£102, 0, 10.
	(not footed)	£763, 1, 5.
1784, March 23, Grant,		£320.
Received,		£1083, 2.
The whole amount of his salary at £200, per an.		1182, 13, 6.
Balance,		99, 11, 6.

1784, Oct. 27, It don't appear that Doct. Langdon has ever received a warrant for £320, agreeable to a Resolve of the 23rd March, 1784, which was to be consideration in full for his service.

(signed) John Deming,
Thos. Walley,
Committee.

The Committee (Fuller, Thatcher, and Mitchell) reported a Resolve for £320, in full for all services (on condition that Dr. Langdon return the warrant for the larger sum, issued October 3, 1780), with the addition of the balance shown above, of £99, 11, 6, to bring the sum in specie up to the amount due. It passed the Senate, November 8, 1784, Adams again signing it, was sent down to the House, and again the House stingily non-concurred. Dr. Langdon had declined to take out the warrant for £320, and on the 18th of January, 1785, he thus wrote to the Speaker of the House from Hampton Falls: —

S^r^, — I have lately discovered an error inadvertently committed by me in that State of my account which accompanied my petition to the honored Court for the year 1782. I have given credit for £2,000 received February 1, and again for £5,000 received on May 11, (1780). Whereas the former grant was 2,000 and the latter 3,000, the whole sum for that year being but £5,000; so that there is an error of £2,000

[1] Error, see below; it should be £3000.

against myself, which may easily appear by the record of the said grants. But yet the sums carried off against the aforesaid grants, as reduced to silver, in my account stand right, as the grants really were made; so that the only error lies in writing 5,000 instead of 3,000. I pray, therefore, that you would convey this information to the Court if you think proper; together with this additional plea in support of my petition, — viz. that £200 a year having been found necessary for many years past, to defray the charges of the support of the Presidents of the College, it cannot be supposed that less than half that sum was sufficient, when every article of provision and clothing was nearly double to the present price. And every man must think it very injurious to perform the duties of a public and important office, in the midst of the most extraordinary disadvantages and difficulties, and be obliged to furnish the greatest part of the costs of his own support.

Submitting the foregoing to your discretion, I am, S^r^, your very obedient serv't,

SAM'L LANGDON.

The Honorable SAMUEL ALLEN OTIS, Speaker of the Assembly of the C. Wealth of Massachusetts.

Whether the good man did accept the reduction in his debt and took the $1,066, in lieu of the $2,152, including interest for five years, to which he was justly entitled, did not appear till this year, 1904. But since the original warrant for $1,656 is now in the archives, the presumption was that he took the smaller sum, — thus recovering his New Hampshire hat from his Massachusetts congregation after five or six years. This presumption becomes fact by an examination of the State archives for 1794. In that year Dr. Langdon renewed his petition for pecuniary justice; stating that he had been compelled to draw the insufficient warrant of 1784, in order to pay the borrowed money. But now, "the justice of Congress" having supplied Massachusetts with a repayment of some war expenses incurred in 1775–76, Dr. Langdon trusts that justice will be done him also from this fund. The legislative committee cut down his claim by an erroneous computation, but still recommended a grant of about $300; which passed the House this time, but was non-concurred by the Senate. Possibly his friends John Hancock and John Langdon may have made up to him from their riches what the State was too niggardly to pay: — it is even possible that he borrowed the money on which he had paid interest from his former parishioner, John Langdon, or his brother Woodbury in Ports-

mouth. At any rate, Dr. Langdon did pay his own debts like an honest man. But the State never paid him in full; yet in 1784, while this affair was pending in Boston, he issued a new and improved edition of his map of 1761, and dedicated it to Hancock, then Governor of Massachusetts, and Judge Weare, then President of New Hampshire, and to the Councils of the two States. So rare has this improved map become, that I have not yet been able to procure a copy good enough to engrave in my History of New Hampshire, wherein brief mention is made of this honored citizen.

When John Eliot came to put Dr. Langdon in his Biographical Dictionary (1809), he made some amends for his harsh and shallow judgments on a wiser and better man than himself, in the matter of the College Presidency. It still remains for the University to do a like penance by erecting his tomb and providing his biography; toward which this sketch is a slight contribution.

Mr. JAMES F. RHODES, having been called on, spoke as follows: —

I shall say a word about the joint meeting of the American Historical Association and the American Economic Association in New Orleans last December. The Associations had never met in the South before. Washington was considered as a border line between the North and the South, and was supposed to satisfy any demand for a Southern meeting, and the project of going to New Orleans was looked at askance by the men who had most to do with the details of the management of the Historical Association, and the Association was taken there by the advocacy of those who concerned themselves rather with its broad interests. It was owing to the enthusiastic support of Captain Mahan, Mr. Adams, and Mr. Lawrence Lowell that the Council fixed upon the Crescent City. "Now is the time to go South," they said, "and if we go South, let us go to the heart of it." Their advice was wise. The meeting was a decided success.

It was not a success in a large attendance on the appointed meetings, but it was a success in giving those who attended it a lively impression of a picturesque city which will last a lifetime. In the traditions of the Association none will be more

vivid than the recollections of that meeting in New Orleans. It was "the most representative assemblage of the two Associations ever had," was one expert opinion. "The largest attendance" was another; but the meetings for the reading of papers were, with the exception of the first meeting, not well attended. The professors and instructors and the ladies, who came in large numbers, preferred to read the book of New Orleans.

"Who knows most about historic London?" I heard Mr. Choate, our ambassador, ask in a speech at a dinner of the Worshipful Company of Fishmongers. "It is not you gentlemen who on business bent go to the city every day of your lives. No; it is the Yankee schoolmarm whom you may see wandering about with a red book under her arm, questioning the policeman on every corner."

So it was in New Orleans. I must premise that one of the cars on the special train from New York was filled with school-teachers from Lowell. The "Yankee schoolmarm" therefore was there in force, observing, indefatigable in seeing everything that there was to be seen. I can give an account of one of her days, which was the day too of many professors and their wives: Rose at five o'clock; went to the French market to drink coffee and enjoy the animated scene; walked through the picturesque Creole quarter; crossed the Mississippi on a ferry boat to get an idea of the vast river; at eleven went to déjeuner at Madame Begué's. The déjeuner lasted two hours, and was presumably cooked by the Madame and served by her husband and sons. In the afternoon visited one of the curious cemeteries and "did" the American quarter; dined at the Café Antoine and went to the French Opera; reached the hotel at midnight. This was magnificent, but hardly a routine meeting.

The most interesting meeting was one held on the morning of the first day at the Cabildo, a building of the Spaniard. The room in which we met was rectangular in shape, of fine proportions, and in it the sovereignty of Louisiana was transferred from Spain to France and from France to the United States. It was also where President McKinley was received, the only President who has ever visited New Orleans. It is now the room of the Supreme Court of Louisiana, and on the walls are portraits of all or nearly all of the judges

of the Supreme Court since Louisiana has belonged to the United States.

Never, I think, has the Association met in so historical a place, and never have the surroundings seemed so in keeping with the profession of historians. The programme had the proper flavor. The President of the Louisiana Historical Society welcomed the American Historical Association, and the papers were all connected with Louisiana. Mr. Dunning read Professor Sloane's paper on "World Aspects of the Louisiana Purchase." Judge Howe discoursed on "The Civil and the Common Law in the Louisiana Purchase." Dr. McCaleb read of "New Orleans and the Aaron Burr Conspiracy." Mr. Thwaites told in a witty and engaging manner "The Story of Lewis and Clark's Journals," and Dr. Shephard dilated on "Louisiana in the Spanish Archives."

Two judges of the Supreme Court honored the meeting with their presence, and near the close of the session came a commander of a Spanish warship, the Rio de la Plata, who came to New Orleans to take part in the great civic celebration of the hundredth anniversary of the transfer of Louisiana to the United States. At the luncheon which was served by the Louisiana Historical Society, the commander displayed the wonderful courtesy and polished manners of his country. One could not help thinking of the war six years ago, nor help fearing that one might inadvertently make some allusion which would hurt the feelings of our visitor; but the urbanity of the Spaniard put every one at his ease, and we talked as if the friendly relations of our nations had never been disturbed. I was glad to introduce to him two members of the Association who talked with him fluently in his own tongue, and I believe there were three or four more men at the luncheon who would have been able to do likewise. The commander asked eagerly whether Captain Mahan were present. He had read his books, in translation of course, and urgently desired to meet him; but unfortunately Captain Mahan was not able to go to New Orleans.

The evening session of the first day is always devoted to the addresses of the two Presidents of the Associations. Mr. Seligman read a thoughtful address, and Mr. Haskins read the excellent paper of Mr. Lea. The reader of the proceedings of the New Orleans meeting will undoubtedly be impressed with

the learning and intelligence of those two papers, but he will miss the pleasure that those present had in hearing the welcoming address of President Alderman of Tulane University. A gentleman of fine presence, he spoke with the fervid eloquence of the Southerner, chastened by the academic manner; and the feeling words that he uttered on the subject of the negro, of which his mind and the minds of his fellow-citizens were full, made an impression not soon to be forgotten.

While most of the men and women who attended the meeting in New Orleans were in the South but a week, it is impossible to be there that brief time without pondering the negro question, which was so interestingly discussed in this Society last autumn.

I remained in New Orleans three days, then spent four days in Thomasville, Georgia, and nineteen days in Florida. Nowhere in the Southern States can so little be learned of the South as in Florida. The average seeker of a good winter climate travels from New York to St. Augustine in a Pullman car on a limited train, and thence proceeds to Palm Beach, where he finds a more genial and wholesome climate than Egypt, a place with surroundings more tropical and one in which cleanliness is supreme. His associates are men from the North; the whole service of the hotel and the provision for amusements are for Northern people. He learns nothing of the South so far as the people are concerned, except what he may get in two newspapers that he reads, "The Florida Times Union," published at Jacksonville, and the "Savannah News," which are excellent and clean newspapers in every respect. In thinking over my impressions, therefore, I find that they are mainly derived from the three days in New Orleans and four days in Thomasville.

President Alderman said in the address to which I have referred: —

"The tragic fundamental fact in Southern life is an economic fact — the presence here in large numbers of the African, is a great economic factor. There has not been a moment in sixty years, largely owing to his presence, that the South has not passionately subscribed to one or two or three great political dogmas or doctrines. . . . For sixty years the South stood ready to die and did die for the doctrine of State sovereignty. To-day it would die with even more amazing oneness of mind

for the doctrine of racial integrity or the separateness of the two races. This does not mean race hatred. . . . The best Southern people not only do not hate the negro, but come nearer to having affection for him than any other people on earth, and they hold this faith in a spirit of common-sense and justice and sympathy and helpfulness to the black race. They are too wise not to realize that posterity will judge them according to the wisdom they use in this great concern. They are too just not to know that there is but one thing to do with a human being, and that thing is to give him a chance, and that it is a solemn duty of the white man to see that the negro gets his chance in everything save social equality and political control."

At Thomasville, in a climate better than the Riviera, among beautiful pine groves and ornamental live oaks and magnolias, a number of my old friends of Cleveland have bought large tracts of land and remodelled the Southern houses or built new ones, and are living there in somewhat the same luxurious style we are accustomed to associate with the Southern planters of the time before the war, although the Northerners have brought comfort and method unknown in the days of slavery. Through them I came in contact with some Southern people, among them one Southern gentleman who produced an abiding impression. He had a Henry Clay face, in which refinement and nervous intelligence were in every feature. He was a reader of books, and we discussed everything as freely as if we had been two Northern men. "What about these lynchings?" I asked. "Were conviction at law more speedy and punishment swift, might they not be avoided?" "No," he replied. "No Southern gentleman will ask a woman to go before a jury and relate the details of her outrage. All that we demand is for the woman to say, 'That is the man.' Remove all the white people of Georgia and people the State with New Englanders: the same conditions would exist, the same punishment for rape would be inflicted. But this crime," he went on to say, "is confined to a low brutish class, — to the outcasts among the negroes. The negroes as a whole are a kind, amiable, faithful people. It is nonsense to talk of their deportation. We need them to raise cotton and corn and for domestic servants. Your Ohio friends bring their white servants: they are better, of course, but we cannot afford them, and besides we must have help the year around. The negro in Georgia is

getting on all right. He is gradually becoming the possessor of property, and he who acquires property is industrious. 'Talk about the negro problem,' said to me a negro tailor who owns land and buildings in Thomasville and is an excellent workman. 'If the negroes would work all day and sleep all night, there would be no negro problem.'"

With my old Cleveland friends I discussed the negro question. All of them were Republicans, and two of them had been Republicans of the stalwart sort with Abolition antecedents. They talked of the negro exactly as did my Southern friend, although perhaps somewhat less sympathetically. I said to one of my hostesses whom years ago I remembered as an uncompromising critic of the South for her attitude towards the lower race, "Why, you always used to say colored people and now you speak of them as niggers." "Yes," she replied, "and I think of them just as the Southern people do."

When one goes on his travels and meets people whose environment is different from his own, it is always a useful inquiry, With whom is he socially most in sympathy? Most of us in Europe take first to the Englishman, next to the German, then to the Frenchman, — and such is my own experience. Bearing this in mind, I have gone over my impressions since 1868, the date of my first visit to the South, — a visit which has been succeeded by a number of others. In matters of politics and present-day problems I feel in greater sympathy with the Southerner than I do with the Englishman. We have the common feeling toward Washington, toward the constitutional fathers, and toward the Constitution itself, and there are also growing up other bonds of sympathy. The Southerners are coming to love Lincoln and Grant, and to have an affectionate regard for McKinley.

On the anniversary of Lee's birthday, a Confederate soldiers' monument was dedicated at Gainesville, Florida, and these were the words of the orator of the day, presumably a Confederate colonel: "That typical American, Abraham Lincoln, could do you justice; the soldier and statesman, McKinley, was great enough to wear the Confederate badge as the guest of the Confederate soldier, and with the courage almost sublime, pay tribute to the living veteran and suggest plans for honoring those who were dead." Still later the orator referred to "the brave and generous Grant."

Mr. James F. Hunnewell exhibited a collection of facsimiles of engravings by Peter Pelham, and read the following memorandum: —

Pelham Club Portraits.

Near the middle of the seventeenth century engraving in mezzotint became known, and a century later was in England a favorite style shown by many superb works by great masters of the art. At the latter period Peter Pelham, an English engraver, came to Boston. Here he followed an example set by great engravers in London, the production of portraits of men of rank and eminence. He selected a class especially distinguished by position and learning, — the Boston ministers, who were not only the religious teachers of the community, but also the literary class. To these he added a few other subjects, eminent men, and engraved a series of portraits far surpassing any then known in British America and seldom since rivalled. Every one of his works has become rare and costly, some of them extremely so, and a collection of them is now almost beyond possibility.

Fortunately there is now a process by which they can be reproduced in a way that makes a copy hardly distinguishable from an original, and also fortunately there is one of our fellow-citizens, a wise and assiduous collector, who has formed a series remarkable for extent and condition, and who, using this process, has made it possible for others to have and to hold many a portrait practically now unobtainable in the original. By his generosity, and in his name, I present to the Massachusetts Historical Society thirteen large reproductions.

Rev. Dr. Cotton Mather, Old North Church, 1727 (perhaps the first mezzotint produced in America).
Rev. Dr. Benjamin Colman, Brattle Street, 1735.
Rev. Dr. Timothy Cutler, Christ Church, 1750.
Rev. William Hooper, A.M., Trinity Church, 1750.
Rev. Henry Caner, A.M., King's Chapel, 1750.
Rev. Thomas Prince, A.M., Old South, 1750.
Rev. Charles Brockwell, A.M., Royal Chaplain, 1750.
Rev. Mather Byles, A.M., n. d.
Rev. John Moorhead, Presbyterian, 1751.
Governor William Shirley, 1747.
Sir William Pepperrell, Bart., 1747.
Thomas Hollis, merchant of London, 1751.

These are from originals by Pelham; to them is added

John Adams, second President of the U. S. A., by E. Savage, 1800.

All are marked "The Pelham Club — Boston 1901" — a club probably the most limited in Boston. It has perpetuated many of the almost vanished works of our early art, that are quite as important as some historical pamphlets, so called, and more interesting; works that show, as well as any could at the time, men who did much to shape thought and history in our Provincial period.

All the credit for collecting and wonderfully reproducing, for good work in our art and history, and for this gift, is due to Frederick Lewis Gay, of Brookline.

Mr. SAMUEL S. SHAW communicated an original letter of Henry Phillips written to his mother after the Woodbridge-Phillips duel, and said: —

The duel in the summer of 1728 between Henry Phillips and Benjamin Woodbridge — an event, I believe, unprecedented in Boston — stirred the little town to its foundations. The letter which I present from the surviving combatant may throw some light on the affair. The story has been well told by Sargent (who had documents in his possession coming from a descendant of Peter Faneuil) in his "Dealings with the Dead." I am not aware that the name of the challenging party has been anywhere stated. According to this letter, it was Woodbridge. The letter also affords an explanation of the singular inhumanity of one Robert Handy, who arrived on the scene of the encounter just after it was over, and finding Woodbridge fainting and begging that a surgeon might be sent to him, turned his back and paid no attention to his request. Sargent attributes this conduct to a fear of being implicated in criminal proceedings. This may well have been the case if that "vile fellow" Handy, mentioned in the letter, is the Robert Handy who testified before the examining magistrate. He there represented himself as anxious to prevent a meeting and as having done what he could to dissuade the young men from fighting: the letter tells a wholly different story, and appeals to the evidence of Mr. Pelham the limner (without doubt the step-father of Copley), that Woodbridge told him that Handy had pressed him for three weeks or a

month to challenge Phillips. The consciousness of having played this part may have made him doubly anxious to wash his hands of the affair, and fears for himself may have outweighed all considerations for a dying man.

I will briefly recall the main facts of the story to your memory. Henry Phillips was the son of the bookseller and publisher Samuel Phillips, whose name figures on so many of Cotton Mather's productions, and who was described by the eccentric Dunton in his "Life and Errors" as "the most beautiful man in town." Young Phillips was twenty-four years of age and a Harvard graduate of 1724. He and his brother Gillam had recently become associated in the bookselling business as successors to their father. Benjamin Woodbridge, according to the epitaph on the conspicuous gravestone near the fence of the Granary Burying Ground, was the son of the Hon. Dudley Woodbridge and in the twentieth year of his age. He is said to have come from a distant abode and to have been taken into partnership by Jonathan Sewall.

The parties met on the evening of July 3, on the Common near the Powder House, and fought with small swords. Phillips ran Woodbridge through the body and was himself slightly wounded. Handy then appeared, and in spite of Phillips's earnest entreaties that he would go for a surgeon to attend to Woodbridge, did nothing, and through Phillips's own exertions a surgeon and a physician went in search of Woodbridge, but, curiously enough, were not able to find him. His dead body was discovered at three in the morning. In the mean time Phillips, by the efficient aid of his brother Gillam and of Gillam's brother-in-law Peter Faneuil and of John Winslow, captain of the pink Molly, was rowed to his Majesty's man-of-war Sheerness, then lying between the Castle and Spectacle Island. His hospitable reception is attributed by Sargent to the natural sympathy of naval officers for a spirited young fellow who has killed his man. The testimonials in his behalf, however, which he refers to in his letter, signed by eighty-three of the most eminent of his townsmen, show him to have been a peaceable and well-disposed young man for whom a general sympathy was felt, and a pardon hoped for on the ground that he was more sinned against than sinning. By morning the Sheerness had sailed,

and Phillips was out of reach of Lieutenant-Governor Dummer's proclamation and the indictment for murder found by the grand jury. He made his way to Rochelle in France, and to the protection of Peter Faneuil's brother Jean. He died there on the 29th day of May, 1729, about two months after the date of this letter. A few days after his decease his mother started on a futile journey to visit him. This letter was found among the papers of his nephew, Samuel Phillips Savage.

ROCHELLE, March 24th, 1729.

HONOURED MADAM, — I have the Satisfaction of your letters of the 28th October, 25th November & 4th December, and hope God Almighty of his Infinite mercy will give me grace & Strength to follow the Advice you give me in them. According to your desire I am come into France, but find it as all other places extreamly chargeable, especially to me who have so small a Stock. Whether I am like to get my Pardon, only God knows, so must desire something may be done for me, not to let me Spend the last farthing. I do assure you Madam, I have not had one moments pleasure since I left you, neither do I expect any in this World, without I should be so happy to See my Dear Mother and my Native Country, which I prefer to any I have Seen. The living here is not very agreeable to me & dear, so must renew my former request. I should have wrote you before but was hindered by a violent fever wch God Almighty has pleased to raise me from & to give tolerable Strength, which Sickness has been vastly expensive to me. Am prodigiously surpriz^d^ who can have so much ill nature to Stop my letters, for am sure never failed of any opportunity when I could write. Would I be so ungratefull after I have offended so dear a Mother, not please in writing a few lines; I hope I have now a Sense of my Duty to so good a Parent, & bewail that ever I offended you, which intreat your forgiveness: — I am uncertain who I can employ for me in my Unhappy Affair; if it should be desired of Mr Yeomans fear he would refuse it, having little acquaintance with the family, but will write Mr Lechmore to try what he can do for me, or whether he should advise me to some other person; Am at a terrible Loss to have no friend in England of Note to Sollicit for me, otherwise I hope I should obtain what I earnestly intreat for, from God & Man. I wrote you p^r^ Roby from Holland to get the Affidavit of Mr Pelham the Limner, who declared to Capt Cornwall & Maj^r^ Cosby, Mr Woodbridge told him Handy prest him for three weeks or a month to challenge me, which he said he would never do, till at last to be Sure over persuaded by that Vile Fellow. I am extreamly obliged to those Gentlemen who are so good natured to Set their hands to a paper of

my good Behaviour, & desire my thanks may be return'd them. Was in great Hope Govr Burnet would have wrote in my favour which you nor my brother (tho' you gave me hopes of it) in a former letter, & hope if he has not, He will be so much my friend. Am very sorry my brother has arrested Mr Smith, as he writes he has, Mr Hooper having received fifteen pounds at three payments, as to my other bills don't know whether they will be paid or no, Maj^r Cosby (Hooper writes me) gives fair words & keeps out of the way. I would beg the favour of my brother Gill to desire Mr Bant or any of his friends that deal to Holland to employ Mr Ward Stanton, who is an English Gentleman of fortune and one that bears the best of characters; if you can do him any Service at Boston or New York, shall be very glad for he was extreamly Civil. Must desire you to remitt me money, for if them Bills are not pay'd shan't have a farthing, & to be in a foreign place without it would be terrible. My desire is to write to all my Friends, but the Postage is so vastly chargeable (every letter going thro' Parris) that hope they will excuse. This may Serve to let them see my Circumstances. O how I long to enjoy ye Company of my dear Friends, for am Sure have but few abroad, I alwayes keeping very close & making little Acquaintance. Mr Faneuil received me with Courteousness, and promises to do all for me that lies in his power. Dear Madam Give my Service to my Aunt Paxton & all friends & Love to my Dear brothers & Sisters, and accept your Self the Duty of him who is,

Madam, Your Dutifull Son till Death

Henry Phillips.

Mr. Shaw also communicated from the papers of his grandfather, Rev. Oakes Shaw, minister of the Church at West Barnstable, a letter from Governor Hutchinson to Rev. Gideon Hawley. Mr. Hawley graduated at Yale College in 1749, began his career as a missionary to the Indians in 1752; and in 1757 was appointed to the Indian Church at Mashpee, where he continued to labor for half a century. Mr. Shaw and Mr. Hawley were friends and neighbors, and both died in the same year. Hutchinson's reference to his letters which were sent to Boston by Dr. Franklin needs no explanation, beyond the identification of the "gentleman of your county" with Colonel James Otis, of Barnstable, then a member of the Council.

Boston, 23 Aug. 1773.

Dear Sir, — I have received a set of Queries from the celebrated Doctor Robertson of Edinburgh relative to America of which he is about to publish the History. Those which respect the Indians I have copied

& shall inclose to you and shall be glad of as full an answer to each as you are capable of giving and I will give you the credit of them when I send them to him. He has sent the same Queries to Mr Smith of New York. Your acquaintance with the Iroquois tribes and also with the Indians of New England will give you peculiar advantage. Some of the Queries can be answered only by those writers who were conversant with the Indians before they had received Impressions from the European.

I have seen some of your letters to the Lieut^t^ Governor & am obliged to you for the marks of your friendship.

The late malicious attempt to blast my reputation by obtaining private letters in an infamous way and putting a sense upon them which I never intended & the words without torturing will not bear, is so infamons that it must finally bring dishonour upon all concerned in it and upon a Gentleman of your County in particular who has been one of the most forward in promoting some of the Resolves which he must know to be false.

When you see Mr. Williams pray mention me to him as having regard & esteem. I am, S^r^,

Your most obed^t^ Serv.

THO. HUTCHINSON.

Mr. Charles C. Smith, in behalf of Rev. Dr. EDMUND F. SLAFTER, who was unavoidably absent, communicated the following paper: —

The Landing of the Hessians.

The following letter will, for the most part, explain itself. It bears no date, but was issued probably in some part of July, 1776. The original, of which this is a copy, is in the possession of Miss Mary Long Gilman, of Exeter, New Hampshire. The letter is as follows: —

By Several Authenticated Accounts lately Received, Twelve Thousand or upward of German Troops are on their passage from England said to be bound to Boston, but as the place they are bound to is not Certainly known it is of great Importance that each Colony be prepared to Oppose them. Therefore you are Required Immediately to give orders to all the Captains under your Command to Direct their Several Companies to hold themselves in Readiness to March on the Shortest Notice, and that they Equip themselves in the best manner they can, and you are to take the most unwearied pains to Examine into the State of the Soldiers & in particular see their fire Arms are kept in the utmost Readiness for Action, and in Case of

an Alarm or Certain Notice of the Landing of Troops in the Massachusetts Bay or New Hampshire & Assistance is Required to give orders to your Several Companies to Muster & March as many men as can be possibly Raised out of them, properly Officered with Tried Officers, Captains & Subalterns according to the Number of Men, to the place where said Troops are Landed, to Assist in Repelling them, and you may assure all Such Officers & Soldiers that may March on any Such Alarm that they shall be paid for the time they Continue in the Service the same Wages & Billeting as the other Troops Raised in this Colony for the publick Service, and that they shall not be detained any Longer than the Emergency of Such alarm may Require.

By order of Honble Committee of Safety for the Colony of New Hampshire.

NATH^L^ FOLSOM — M G

To Coll THOMAS STICKNEY.

A few notes in connection with this paper may be of some historical interest.

It will be observed that the order contained in this letter was issued by the authority of the Committee of Safety. Immediately after British rule in the Colony of New Hampshire had been laid aside and abolished, it became necessary to establish a new government in place of the old. Consequently, as a temporary expedient, the whole civil power was invested in a convention consisting of delegates from all the towns in the colony. During the recess of this convention its authority, which was supreme and absolute, was delegated to a committee which was called the Committee of Safety. The foregoing letter of instruction by Major-General Folsom[1] was issued by the authority of this committee.

[1] Nathaniel Folsom, at this time Major-General of all the military forces of New Hampshire, rendered very important service during the whole period of the Revolutionary War. Even in the colonial period, in the expedition to Crown Point on the 8th of September, 1755, as captain of the New Hampshire contingent, he led an attack upon the retreating army of Baron Dieskau, causing great loss to the French, capturing numerous prisoners, with large spoils of stores and ammunition.

He was sent by the first Provincial Congress of New Hampshire to the Continental Congress in Philadelphia in the autumn of 1774. He was chosen Major-General of the forces of New Hampshire in the early part of the summer of 1775. He was a prominent member of the Committee of Safety, and likewise a member of the first Council of the State, which occupied the place of the Senate constituted at a later date. He was born in Exeter, New Hampshire, in 1726, and died there on the 26th of May, 1790. He was an ancestor of Miss Gilman to whom belongs the original manuscript letter presented in these pages. A very full and

Four regiments were organized in New Hampshire to be trained and ready on any sudden emergency, and were officially named "minute men" because they were to be ready at a moment's warning. The foregoing letter was addressed to Colonel Thomas Stickney, and similar letters were doubtless addressed to the colonels of the three other regiments. We do not however know that they are still extant. This may be the only one that has survived the vicissitudes of the last hundred and twenty-five years.

The announcement in this proclamation by the highest military authority in New Hampshire was of a startling character. That twelve thousand or more German troops were already on their passage from England and were to land at some unknown point on the coast of Massachusetts Bay or of New Hampshire was well adapted to create a profound anxiety and alarm. Our people at that time were exceedingly sensitive to any impending danger, especially if it were involved in mystery. The effect of the witchcraft delusion with its horrible consequences had not died away. It had created a habit of sensitiveness which lasted more than a century and a half after the inhuman and satanic inventions for its cure had been laid aside. The stealthy approach of the wily savage in the darkness and in unexpected moments and places in the border towns, stretching through a period of nearly a hundred and fifty years, carrying instant death or brutal captivity to hundreds of brave men, gentle women, and innocent children, was still fresh in the minds of the whole population. The impression which the proclamation of the coming Germans made upon the minds of the people is not a matter of record, but it requires no exuberant imagination to picture the anxiety and fear that prevailed in every village, hamlet, or remote settlement in New England. The unwelcome news spread with marvellous celerity in every direction.[1]

carefully prepared notice of General Folsom may be seen in the "Exeter News-Letter" for November 3, 1899, by Mr. Horace B. Cummings.

[1] There existed at that time in New Hampshire, and probably in all the other New England States, a practical method of expressage, which met all the demands and exigencies of the time. In each town there was a committee whose duty it was to communicate to the adjoining town the latest news relating to the movements of the English army, and they were to communicate it to the next, and so on, and in an incredibly short time every town in the State was informed, and consequently able to take such action as the circumstances required.

In this excited state of the public mind the imagination pictured numberless evils, many of which were little more than hysterical fancies, the offspring nevertheless of well-grounded fear, —

> "Trifles, light as air,
> Are to the" fearful, "confirmations strong
> As proofs of holy writ."

The causes of this foreboding fear may be briefly summed up in the following particulars: —

First, in New England there was at that time little or no knowledge of the people in Germany. They were far away in a sense which to-day we cannot easily comprehend. Intercourse was rare, communication was slow and uncertain. The New Englander knew less of the character and temper of the German than we do to-day of the wild tribes in the heart of Africa.

Second, the language of these foreign invaders was not understood by our people, and there could be no free intercommunication either by writing or word of mouth. Intercourse for the most part must be impossible and always hazardous. The danger incident to this want of intercommunication had been brought home to them by bitter experiences with the savages from the first plantation of the colonies.

Third, the expected German troops were known to be mercenaries, paid to fight in a cause of which they had no personal knowledge and in which they had no personal interest. In the estimation of the people of New England they differed little from the highwayman who invaded their homes to pilfer and destroy. Their character, so far as it could be learned, placed them beyond the pale of Christian intercourse and civilization.

Fourth, it was even reported in some parts of the country that these hirelings, soon to reach our shores, were cannibals and had an appetite for small babies.

Fifth, it was believed, on very good evidence, that in battle the Germans would give no quarter, or, in other words, that all prisoners of war taken by them would be immediately put to death.

Such rumors as these, whether fanciful or well grounded, did not fail to produce a profound anxiety and fear.

But this state of the public mind was destined to be of short duration. On the fifteenth day of August, 1776, the German troops, whose arrival had been looked for with so much interest and anxiety, reached Sandy Hook and landed on Staten Island. This first instalment numbered not less than eight thousand, including officers and men. But others followed soon after and from time to time, and the total number hired by England and landed on our shores during our Revolutionary War was *twenty-nine thousand eight hundred and sixty-seven.* They came from six petty German states, but in history are irrespectively denominated Hessians. Of this number *twelve thousand five hundred and fifty-four* never returned to their German homes. This included those who were killed in battle, those who died of disease, those who deserted, and finally those who were discharged at the end of the war but who preferred to remain and make their homes with the people against whom they had been cruelly forced to bear arms. It has been estimated that the deserters numbered not less than *five thousand.*[1]

The rank and file of the Hessians, although forced into the service against their wills, were undoubtedly good soldiers, who performed their duty with exemplary fidelity. The officers probably came willingly, with the hope of rising in command and bettering their fortunes.

In the early stages of the war the Hessian officers, proud of their profession and accustomed to the superior equipment of a standing army, looked upon our plainly clad colonial officers with a supercilious contempt, and often applied to them opprobrious epithets. A mutual dislike was the natural and inevitable result. This, however, subsided in some degree as years went on.

An incident illustrates the aversion or even hatred entertained in New England for these mercenary intruders. At the period of the Revolution and long afterward, the most important cereal for the table of the rich and poor alike was the product of the New England soil. The wheat-fields of the West were distant, transportation was impracticable, and we were wholly dependent upon the home product. An enemy suddenly appeared to arrest the production of this almost necessary article of food. An insect unknown before in this region,

[1] *Vide* "The Hessians" by Edward J. Lowell, p. 300.

coming apparently in vast numbers, deposited an ovum in the soft and succulent part of the plant, which soon developed into a voracious pest, and the whole wheat-crop was greatly diminished and at last utterly destroyed. Looking about for a name that should be appropriate and significant, with a keen memory of the past and a touch of patriotic sentiment, they called the unwelcome visitor the *Hessian fly*.

There is abundant reason for knowing that the Hessian officers held out the threat, whether *in terrorem* or otherwise, that no quarter would be given to prisoners of war. When the life of a prisoner was spared, they spoke of it as an act of generosity. In their letters and journals are recorded instances of prisoners falling upon their knees and begging piteously for their lives.

A notable example of this "threat of no quarter" may be seen in the attack on the little fort at Red Bank, in New Jersey, on the Delaware River, a few miles below Philadelphia. Colonel von Donop, one of the most distinguished Hessian officers, with an ample force of mercenaries, was directed to capture this fort. On his arrival he sent an aide de camp to demand its surrender. The demand was couched in the following extraordinary language: "The King of England commands his rebellious subjects to lay down their arms, and they are warned that if they wait until the battle, no quarter will be granted." Colonel Christopher Greene, in command of the garrison, replied that "he accepted the terms and that no quarter would be given on either side." The fort was a temporary structure, but had nevertheless some good qualities. It was equipped with three hundred men and fourteen cannon. The attack was made at "double quick" and with exultant fury, but it was disastrous. Donop was mortally wounded, and his army, possibly impelled by the fear of "no quarter," took to their heels. Donop was taken into the fort and tenderly cared for till he died three days later. Among his last words he said, "It is an early end of a fair career, but I die the victim of my ambition and of the avarice of my sovereign."

It is thus quite clear from the sequel of this conflict that the American commander did not intend to carry out the threat of "no quarter" forced upon him in a moment of excitement and clearly contrary to the rules of civilized warfare.

We cannot indeed believe that the Hessian officer himself would have carried out his threat if the opportunity had been given him. There is no instance on record, so far as we know, in the War of the Revolution, in which this savage and barbarous policy was publicly announced, much less carried into practice. If any officer of either army indulged in this kind of threatening proclamation, he doubtless regarded it as intended to produce a restraining fear, which might save human life and avoid human suffering.

The information contained in these notes has been obtained mostly from the work of Mr. Edward Jackson Lowell, a lately deceased member of this Society, called all too soon from his earthly labors. Gladly would the members of this Society and all others who appreciate good historical work have breathed the prayer of the old Latin poet, —

> "Serus in cœlum redeas, diuque
> Lætus intersis populo."

In closing these notes, I cannot refrain from adding a few words on Mr. Lowell's monograph entitled "The Hessians and the other German Auxiliaries of Great Britain in the Revolutionary War."

It was not possible before the publication of this volume to obtain from our general histories a clear and definite idea of the part taken by the Hessians, or the value and importance of their service to the British arms. A need had existed from the beginning. Mr. Lowell supplies this need with great fulness, accuracy, and detail. The sources of information consulted by him were numerous, various, and of the highest credibility. The bargaining for the troops with the German princes is adequately, fully, and clearly set forth. By them the sacred precincts of the family were invaded, and thousands of young men were forced at the point of the bayonet, amid the tears of fathers and mothers, into a service which promised them nothing but hardship, suffering, and death. The infamy and disgrace of these bargainings in the sole interest of avarice and of unauthorized power will cling forever to the memory of these sordid princes, who in the moral estimation of good men can be placed but little above the Roman Emperor who had the malicious hardihood to assassinate his mother.

The English were *particeps criminis* in these unsavory transactions. The blood-stains on George III. and his ministers will not fade away while it is the office and duty of the historian to search out and record the truth. Such brutal conduct at the present day would shock the moral sense of the civilized world.

Mr. Lowell's style is characterized by simplicity, clearness, and vivacity. It is eminently suited to the subject of which he treats. The narrative moves on in a natural and unpretentious way, and from the beginning to the end is constantly gathering up new elements of interest and importance. The student, with even a moderate degree of historical instinct, may well be excused if, for the moment, he sometimes imagines that he is reading an entertaining and absorbing romance. In all respects this volume is a needed and valuable contribution to the history of our War of Independence.

A new volume of the Proceedings — Volume XVII. of the second series — was ready for delivery at this meeting.

Since the foregoing record was put in type our associate Mr. Josiah Phillips Quincy has made a careful examination of the papers given by Miss M. P. Quincy, and has prepared the following list, which is here printed for convenience of reference: —

Contents of Chest presented by Miss Mary Perkins Quincy to the Massachusetts Historical Society.

1. History of the Quincy family, by Professor Edward E. Salisbury. This gives both the male and female descendants of the family, and contains an exhaustive index.

2. Pedigree charts, with coats-of-arms, made by Professor Salisbury.

3. A little journey to Thorpe-Achurch, by Mary Perkins Quincy, illustrated by photographs. Also notices of Lilford cum Wigsthorpe.

4. A water-color painting of a castle owned and occupied by Lord Roger De Quincey, Earl of Ashby, in the year 1207.

5. A paper read by Miss Mary Perkins Quincy before the Colonial Dames of America. Its subject was the two Dorothy Quincys.

6. Memoranda respecting Saher de Quincy, the Magna Charta Baron; also of Roger de Quincy, second Earl of Winchester, and of his daughters.

7. An article by Joseph Bain, F. S. A. Scot., with details of the Earls of Winchester.

8. Correspondence of G. F. Tudor Sherwood, Esq., for Professor Salisbury and Miss Mary Perkins Quincy. This refers to researches in England connected with the Quincy family.

9. Notes about the Quincy family, derived from the Roger de Quinceys of Chislehurst, England, 1897.

10. Miscellaneous correspondence connected with researches in Europe.

11. A paper by Miss Mary Perkins Quincy on the first Edmund Quincy in America, and of the Quincy name across the sea.

12. The Quincys of to-day who bear the surname in New England.

13. The Quincy name found in antiquarian annals and genealogies.

14. Researches among data and memoranda of the Quincy name at the Bibliothèque Nationale in Paris.

15. Ordnance Maps of Northamptonshire, Rutland, and Huntingdonshire.

16. The Quincy coat-of-arms.

17. Early Quincy researches at the Heralds' Office in London, by "Portcullis."

18. Early Quincy data and memoranda from the Bodleian Library, Oxford, and the British Museum, London.

MARCH MEETING, 1904

THE stated meeting was held on Thursday, the 10th instant, at three o'clock, P. M.; the President in the chair.

The record of the February meeting was read and approved; and formal reports were received from the Librarian and the Corresponding Secretary.

Preparatory to the Annual Meeting Messrs. Andrew McF. Davis, Albert B. Hart, and Samuel S. Shaw were appointed a committee to nominate officers for the ensuing year; Messrs. Charles K. Bolton, Edward Stanwood, and Melville M. Bigelow a committee to examine the library and cabinet; and Messrs. Winslow Warren and Thomas Minns a committee to examine the Treasurer's accounts.

The PRESIDENT, in behalf of the Council, to whom the matter was referred at the last meeting of the Society, reported the following addition to the By-Laws, Chapter I. Article 4, which was adopted by a unanimous vote:—

No election to membership shall be valid, unless, on due notification, the person elected shall within six months signify in writing his acceptance.

On motion of the Treasurer it was —

Voted, That the income of the Massachusetts Historical Trust Fund for the financial year ending March 31, 1904, be appropriated to such purposes as the Council may from time to time authorize.

The PRESIDENT announced the death of Sir Leslie Stephen, K. C. B., a Corresponding Member, and expressed a hope that Mr. Norton, though called on without previous notice, might be willing to say a few words with reference to his personal friend.

Mr. NORTON, being thus called upon, spoke of his long friendship with Sir Leslie Stephen, beginning at the time of Sir

Leslie's (then Mr. Stephen) first visit to America, in 1863. He had been head of one of the minor houses at the University of Cambridge, but he had already resigned this position consequent on his resigning the Holy Orders into which he had entered after leaving college, and had already begun to devote himself to a life of letters. He was shy and reserved in manner, but readily responsive to a friendly welcome. He had abundant natural and acquired intellectual resources which made him an interesting companion, while his essentially sweet and simple nature made him as attractive as he was interesting.

He has himself, in his recent charming autobiographical sketches, told of the motive of his change in the direction of his life. From the time the change was made, he remained till the end of life steadily faithful to the profession of letters. The bent of his genius was not toward creative authorship but toward criticism in its modern sense, — that is, toward the inductive and historical method in criticism. He had a lively sense of the variety of human nature and the wide range of human interests. His judgments were not based on a system of dogmatic rules or principles, but with catholic sympathies he endeavored to ascertain the true relations of the subjects of his study to their times, and to exhibit the specific influences which had made them what they were and which had determined their position in the field of affairs or of literature. In this he was a disciple of the great modern master Sainte-Beuve, and in this he took advantage of the doctrine of evolution as applied to social and intellectual conditions. His work was distinguished by its good sense, its liberality and vigor of thought, while his clear style was enlivened by a pleasant humor, often combined with a shrewd wit and expressed with a light cynicism which might cover but could not conceal the essential geniality of his nature.

His mind, of admirable quality by nature, had been excellently trained. It had a philosophic and sceptical cast, which was often displayed in the exposing of a metaphysical sophistry or the dissection of a fallacious argument.

He was familiar with the course of English thought during the past three centuries, but his special interest lay, perhaps, in the eighteenth century and the beginning of the nineteenth; and his works on "English Thought in the Eighteenth Cen-

tury " and on " The English Utilitarians " are permanent contributions to the understanding of the period to which they relate, while they exhibit in a remarkable degree the power of their author in the discussion and elucidation of difficult problems and in the detection of elusive fallacies. The value and importance of the main work of his middle life, his masterly editing of the " Dictionary of National Biography," are recognized by all students of English history or literature.

He was an independent in all matters of thought. From an early period in his career he adopted the principles of agnosticism, of which he became perhaps the ablest exponent. According to those principles he shaped his life, finding them sufficient for its needs and more satisfactory than any other creed, alike in their freedom and in their limitations.

During his later years he was shut off from general social intercourse by almost complete deafness, but the sweetness of his nature was never more exhibited than in his latest writing, — the autobiographical sketches already referred to, — nor were the fine qualities of his intellect ever more evident than in the lectures on the Literature and Society of the Eighteenth Century, just now published, which he was to have delivered at Oxford, but the public reading of which he was compelled by illness to entrust to a nephew. The lectures and the sketches were written after he knew that his illness was mortal, but no one in reading them would fancy that their author was under sentence of death, and a death likely to be preceded by great suffering. He bore his long illness with unbroken patience, and he faced death with perfect serenity. His latest letters were wholly simple and manly, and while they were touchingly unreserved in the expression of natural sentiment they were absolutely free from the too familiar attributes of deathbed compositions. The principles which had supported him in sorrow and in suffering, and which had served him for the guidance of a useful and delightful life, supported and served him to its end.

The PRESIDENT added :—

Though in no way prepared, I am unwilling that the occasion should pass without something on my part recorded concerning Sir Leslie Stephen, and the esteem in which I held

him. The extremely happy, even if unpremeditated, remarks of Professor Norton were spoken from a full mind. His acquaintance with Sir Leslie Stephen reached back over more than forty years; mine, I am sorry to say, was of recent date. Indeed, I must confess that a little more than only ten years since I was not aware that any such person existed. In 1892, I think it was, a volume of his miscellanies was published, taking its title of "An Agnostic's Apology" from the first paper in it. That title attracting me, I purchased the book. Then it was that Leslie Stephen's personality dawned upon me. Accidentally I had made that delightful discovery for a man advancing in years, — a new, sympathetic and suggestive author. So much satisfaction did I derive from the volume I have referred to that I felt moved to write to Mr. Stephen. My letter elicited a reply which showed that what I had said gave him a gratification he did not care to conceal. I have read everything he has written since, as also his larger previous works, and always with pleasure and an increased sense of benefit. A learned man, he had a distinctly philosophical and observant cast of mind; and, moreover, there was in what he wrote a delicate humor. I remember, in my first letter to him, I referred to this trait as "Montaigneish"; and my so doing it was which had evidently most gratified him. But combined therewith there were a subtlety and purity of thought, — an ethical elevation, — to my mind more distinctly developed in his writings than in those of any other English writer of the time. Because of this, they appealed to me.

Professor Norton has alluded to the course of events which led Mr. Stephen to abandon his chosen profession of the Church, to leave Oxford, and to devote himself to literature. During our Civil War, then a young man, he was from instinct, as well as from conviction, an ardent friend of the North. One of his earliest publications, though not included in any of his subsequent collected writings, was a sharp arraignment of the "London Times" for its bitter and vindictive utterances, and the course pursued by it during the period of our troubles. On this head he framed an indictment of many pages, confronting "The Thunderer" with its compromising record. This publication is long since so wholly forgotten that few know that Leslie Stephen was ever responsible for it. I doubt if

there are more than half a dozen copies of it in the United States. Only by chance did I come across it while looking over pamphlets relating to our Civil War, of which my father made a large collection during his residence in London. The title-page attributed it simply to "L. S."; but under those initials was written, in the handwriting of my brother, "Leslie Stephen." I afterwards wrote to Mr. Stephen concerning it, for it had proved of much service to me in the course of certain investigations, and asked him why he had never mentioned it to me, and why it did not bear his full name. He replied that he had never mentioned it as it did not seem to him worth while; in fact, he had himself almost forgotten he ever wrote it. As respects the failure to bear his name on the title-page, he said that, at the time of publication, he was a young man striving to make his living by his pen, and that his friends strongly urged him not to incur the enmity of so powerful an organ. His name, therefore, had never been publicly connected with it. None the less, to one, like our associate Mr. Rhodes, for instance, engaged in any work upon the events of the Civil War, it is a valuable and labor-saving compendium. The utterances of the "London Times" had then, as we all know, more influence, and were more keenly felt, than utterances in Parliament or even in State papers. They cut like a knife; and the knife was envenomed. I am, therefore, glad to avail myself of this opportunity to get into our Index a reference to a rare Civil War pamphlet, a copy of which can probably be found in our collection of pamphlets, and certainly in that of the Athenæum.[1] It may there catch the eye of future investigators, who otherwise will not know of its existence. Should it do so, it may save them hours of weary research.

Finally, in my judgment the peer of Sir Leslie Stephen, in his peculiar field, does not now live. For happiness of expression, combined with a sustained purity of subtle thought, he was to me, when I discovered him, a revelation, and, for more than ten years, a philosopher and guide. During that time, I am glad to say, it has been my privilege to carry on with him a correspondence, even if somewhat intermittent and languid. His last letter now lies on my table. The obligation I feel under to him I would fain now express.

[1] The "Times" on the American War: A Historical Study by L. S.

Mr. C. E. NORTON communicated an unpublished letter from Rev. Samuel Locke, afterward President of Harvard College, written a few months after his settlement at Sherborn, and said:

President Holyoke died the first of June, 1769. The Corporation found it difficult to select his successor, but finally elected the Rev. Samuel Locke, pastor in Sherborn, who was inaugurated on the 21st of March, 1770. He was President for three years and eight months, resigning his office on the first of December, 1773. "At this time," says President Quincy, "it is difficult to ascertain the inducements to this appointment." President Quincy closes his account with the following words: "History has preserved concerning his life and character little that is worthy of reminiscence, and tradition less. His official relations are marked on the records of the seminary by no act indicating his influence or special agency, and for his resignation, which was sudden and voluntary, they assign no motive, and express no regret."[1] This letter may in part account for the silence of the records.

To Mr Edward Wigglesworth, Merch't. In Boston.

SHERBURN, 11 Feb., 1760.

DEAR KINDSMAN, — I congratulate you upon ye pleasing prospect you have before you, and entirely agree with you in ye reasonable expectation you entertain of advancing your felicity by ye close social connection you are forming. It seems to be ordained by Providence in y^e^ œconomy and constitution of all created, animate nature we are acquainted with that each individual of ye several species should be drawn by some *secret* attraction to those of its own kind; and indeed it appears to be a necessary præcaution for y^e^ *preservation* of *order* amidst ye immense variety of creatures that people ye world and for ye regular conservation and increase of ye several classes into which they are divided. But man has a nature *peculiarly* adapted for society and friendly intercourse and is directly urged to it by ye great difficulties, if not utter impossibility, of subsisting *alone* independent of and inconnected with others of ye same nature with himself, — his wider capacities demand more gratifications, and he feels in himself innumerable wants which a life of sollitude cannot supply, and *many powers* to which it cannot give employment. Hereupon he is naturally led by *some* affections amost peculiar to our kind to *select some* from among ye many individuals of a human nature for peculiar intimacy and tenderness in order to improve

[1] History of Harvard University, vol. ii. p. 160.

the condition of his existence and refine ye common principles of benevolence into a peculiar affection for *some* individuals.

And I apprehend in particular with regard to ye nuptial tie (ye closest of any) we are not only directed to it by ye constitution of our nature and ye many miseries which a forlorn individual must necessarily suffer while he stands alone without any prop to support him, but also by ye continued course of Providence in preserving in all ages such an apparent equality between ye sexes. This, I think is an additional call to every one to be up and doing. You will therefore, S^r^, I trust, find a complyance with your duty in ye respect a solid foundation of ye most substantial happiness which this world affords, — and that it will be a happy medium of improvement in sosial [*sic*] virtue, and of increasing to you that felicity which I cannot describe but heartily wish to be ye portion of every human creature in a way consistent with ye wise designs of ye great Father and governor of ye universe. But I am in haste. I would just enform you that Capt Perry is ready to waite on you when you are at leisure. I should be glad that it might be this week, if you can spare the time.

I am, S^r^, your most obedient humble ser^t^.

SAM^LL^ LOCKE.

It may be added that Mr. Locke was married to the daughter of Rev. Samuel Porter, his predecessor at Sherborn, January 21, 1760, and that his correspondent, a grandson of Rev. Michael Wigglesworth, author of "The Day of Doom," was not married to his first wife until 1766.

Mr. Norton made some humorous remarks on the change in custom as regards the use of two or more Christian names, and on the ills resulting from it, — the needless burden to the memory, the waste of time in looking up a name of which one may be uncertain, the enormous national waste of time and money involved in the daily writing and printing of millions of useless middle names, and other minor evils. He urged the need of reform in the matter, alike from the point of good sense and that of good taste, and presented the following results of a recent examination of the Quinquennial Catalogue of Harvard University: —

In the first seventy-five classes graduated at Harvard College from 1642 to 1717 inclusive, but a single graduate had a middle name. This was Ammi Ruhamah Corlet of the class of 1670, and his double name is to be accounted for by the fact that the names Ammi and Ruhamah occur but once in

the Bible, and in this single instance in close relation to each other.[1]

The second graduate with a middle name was Brocklebank Samuel Coffin of the class of 1718, the third was in 1725, the fourth in 1739, the fifth in 1741; that is, out of 1,421 graduates in a hundred years there were but five with middle names.

In the next thirty-one years, to 1772 inclusive, when the old order of arrangement of names according to social standing came to an end, out of 1,017 graduates thirty-eight had middle names, not 4 per cent.

Thus, in the first one hundred and thirty-one years of the existence of the College, of 2,438 graduates only forty-three, or about $1\frac{3}{4}$ per cent, bore more than one given name.

After 1772 the increase is rapid and steady. From 1773 to 1780 there were nineteen graduates with middle names, about 6 per cent; from 1781 to 1790 the percentage rose to about 10. From 1791 to 1800 the percentage was 16+; 1801–1810, 30; 1811–1820, 46; 1821–1830, 58; 1831–1840, 67; 1841-1850, 73; 1851–1860, 78; 1861–1870, 84.

Taking separate classes after 1870, the percentage of the class of 1880 was 80; of 1890, 85; of 1899, 89; and of the classes now in College the percentage is 85.

Mr. Norton also presented the original draught of a communication to the "Albany Centinel" in 1800, during the heated and protracted struggle which resulted in the election of Mr. Jefferson as President of the United States, together with the original certified copies of the documents from Rhode Island, referred to in the communication. The chief interest in these papers lies in the evidence which they afford of the practice as late as 1764 of the cropping of the ears and the branding of a criminal found guilty of forgery.[2]

[1] "Say ye unto your brethren, Ammi; and to your sisters, Ruhamah."—*Hosea* ii. 1.

[2] By an act of the General Assembly of Rhode Island passed at the October session in 1776, it was "enacted, that if any person or persons within this state, shall counterfeit the bills or notes of either of the Continental loan offices, within the United States of America, or utter or pass the same, knowing them to be such, and be thereof duly convicted, shall suffer the pains of death."—*Rhode Island Col. Records*, vol. viii. p. 19.

FOR THE ALBANY CENTINEL.

When the Electors to Choose a President and Vice-President were lately to be appointed, Mr Bloom, of the Senate, shewed me a list of Persons whom he, and the party he is connected with, intended to appoint; and on my Perceiving the name of Robert Ellis on it, I informed Mr Bloom that he had been Convicted in Rhode Island of passing Counterfeit Money, and that I was once Possessed of the Record — Ellis was notwithstanding appointed. A few days after I learned that he had been sent for by the Party to Albany, and that he Denied the matter, — In Consequence of which I have Procured the following papers from Rhode Island, and now publish them. The Papers themselves are left with the Printer, for the inspection of whoever may think proper

MOSES VAIL.

TROY, December 9, 1800.

At the Superior Court of Judicature, Court of Assize and General Goal Delivery, begun and held at Providence, in and for the County of Providence, In the English Colony of Rhode Island and Providence Plantations, in New England, in America, on the Third Monday of March, Anno Dom. 1764, and in the fourth Year of his Majestyes Reign, George the Third by the Grace of GOD of Great Britain France and Ireland King, Defender of the Faith &c.

Robert Bevelun, of Providence, in the County of Providence, Taylor, an Infant under the age of Twenty one Years, was Indicted by the Grand Jury: For that he the said Robert Bevelun, at said Providence, on the thirteenth Day of February, in the fourth year of his Majestyes Reign, Anno Dom. 1764 with force and arms did for the sake of Lucre and unjust gain alter a certain Bill emitted by an act of the General Assembly of the Colony of Rhode Island A. D. 1760, of an unknown value, and make the same in imitation of the True Ten Shillings Bill emitted by said act, and did on the said Thirteenth Day of February, A. D. 1764, with force and arms utter and pass said Bill so altered to Job Armstrong, of Glocester, in said County, Yeoman, for a True Ten shilling Bill, knowing the same at said time to be a false Bill; which aforesaid act of him the said Robert Bevelun, against his Majestyes peace his Crown and Dignity; whereupon the said Robert Bevelun being arraigned, pleaded Guilty.

Wherefore it is the Sentence and Judgment of this Court that You the said Robert Bevelun, upon the sixth Day of July Next, Between the hours of Eight A. M. and four P. M. do Stand in the Pillory for the space of half an hour, and have both Your Ears Cropt, and be

branded with a hot Iron on each Cheek with the Letter R. that you be imprisoned for the space of one hundred Days after the Rising of this Court, that you pay Double Damages to all persons Defrauded and cheated by you by such false Bill or Bills as aforesaid; That you pay all cost of prosecution and Conviction, and that you forfeit all your Estate both Real and Personal; and in case you have not sufficient Estate to pay and satisfy as aforesaid, That you be set to work by the Sheriff of this County for a Term not Exceeding one Year; and That you remain in the Custody of the Sheriff untill this sentence be performed.

The Examination of Robert Beaverly who is suspected of altering the Lawful Money Bills of this Colony, taken this fourteenth Day of February, 1764 Before us

SAMUEL CHACE, } *Justices of Peace*
JAMES ANGELL, }

On his Examination, saith, that the Bill he passed to m^r^ Armstrong he altered himself, and that he likewise altered that he past to Jabez Pearce, and put one to mr Allen that I altered — and that no person is Conserned with me or knows anything thereof but myself

ROBERT BEVELUN.

Upon a second Examination of Robert Beverly at the Goal in Providence Tuesday afternoon Feby 14th, 1764,

Present NICHOLAS TILLINGHAST, *magistrate*
and SAM^L^ CHACE, *Just Peace.*

The said Robert Beverly came before us and says he passed Five more altered Bills one to Joseph Field, one to Jabez Pearce, and one to the widow Brown, and one to Zepheniah Randall, and one to m^r^ Manchester, and that all this was done by orders from his Master, Robert Leonard, who he says altered them together with him, and sent him out to pass them — he further says that he passed nine such altered Bills, seven of them being of the Denomination of Ten shillings altered from one shilling Bills and nine penny Bills, and Two of them were of the Denomination of Five shillings, altered from one shilling Bills, Five of which Bills my Master Robert Leonard was privy to the altering of and ordered me to put them off to any persons that would take them.

ROBERT BEVELUN.

PROVIDENCE, ss.

I certify that the above contains a true copy of the record of the Superior Court of Judicature, &c. holden at Providence in & for

the County — aforesaid, wherein the said Robert was convicted, & of the examination of the said Robert taken previously thereto.

P. ALLEN, *Clk*

Extract from the Providence Gazette, printed in Providence. Anno Domini, 1764.

"PROVIDENCE, March 31st 1764."

"Whereas Robert Bevelin, a Prisoner in his Majesty's Goal in Providence, under the sentence of Imprisonment, and of being Cropt and branded, hath by the Assistance of some evil minded Persons procured means to break Goal on the Night of the 30th of March Instant — Said Bevelin is a Youngster of about Eighteen years of age, of a slim make, has a light Complexion wears his own hair, and has served part of an Apprenticeship to the Taylor's Business. He had on when he escaped a Light Coloured straight bodied Coat, black Cloth Breeches and Waistcoat — Whoever apprehends said Felon and conveys him to any of his Majesty's Goals in this Colony or elsewhere, so that he may be brought to Justice, shall have TEN DOLLARS Reward and all reasonable Charges paid by me.

ALLEN BROWN, *Sheriff* — "

The above contains a True Copy from the File of the Public Prints, Published in the Town of Providence and then Colony of Rhode Island, in the Year 1764.

Witness, THEODORE A. FOSTER.

PROVIDENCE, Novr 26th, 1800 JAS U. ARNOLD, *Just. Peace.*

PROVIDENCE, ss. } STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

I, William Rhodes, of Providence, in the County of Providence and State of Rhode Island, &c. Merchant, of lawful age, & engaged according to Law, testify and say, that I was personally acquainted with Robert Bevelun formerly of Providence who was said to be convicted of counterfeiting the Paper Currency (emitted by the General Assembly A. D. 1760) in the year 1764, and I am knowing to the said Robert Bevelun's using the name of Robert Ellis, as well as Bevelun, and that the same Robert Bevelun who was convicted in the March Term of the Superior Court of this then Colony as aforesaid, was known and often called by the name of Robert Ellis, — & that the said Robert Bevelun, alias Robert Ellis, who is said to have broke Goal in this Town while under sentence, and made his escape. I have often heard since that the said Robert Bevelun, lived in the State of New York, and was known by the name of Robert Ellis — further this deponent saith not.

WM RHODES.

PROVIDENCE ss. } STATE OF RHODE ISLAND & PROVIDENCE PLANTATIONS

Personally appeared the aforesaid William Rhodes, and made oath to the Truth of the foregoing Deposition

Before me JAMES U. ARNOLD, Justice of the Peace, this twenty sixth day of November, Anno Domini 1800.

JA^{S} U. ARNOLD *Just. Peace*

During the meeting there was much informal conversation in which the PRESIDENT and Messrs. FRANKLIN B. SANBORN, BARRETT WENDELL, EDMUND F. SLAFTER, MORTON DEXTER, CHARLES K. BOLTON, ARCHIBALD C. COOLIDGE, HENRY W. HAYNES, and CHARLES C. SMITH took part.

A new serial of the Proceedings, containing the record of the December and January meetings, was on the table for distribution.

ANNUAL MEETING, APRIL, 1904.

THE Annual Meeting was held on Thursday, the 14th instant, at three o'clock, P. M., the President in the chair.

The record of the March meeting was read and approved. The Librarian read the list of donors to the Library since the last meeting. Among the gifts were a copy of the beautiful fac-simile reprint of Morton's "New England's Memorial," edited for the Club of Odd Volumes by Mr. Arthur Lord, given by Mr. Lord, and a copy of "The Burning Bush not Consumed; or the Fourth Part of the Parliamentarie Chronicle, London, 1646," given by the family of the late Professor John Farrar, of Cambridge.

Mr. Frederick J. Turner, Professor of History in the University of Wisconsin, was elected a Corresponding Member.

Mr. John T. Morse, Jr., was appointed to write a memoir of the late Henry Lee for the Proceedings; Mr. J. P. Quincy a memoir of Edmund Quincy; and Mr. Moorfield Storey a memoir of Charles Sumner.

The President announced a gift of one hundred dollars to the General Fund of the Society from Hon. Horace Davis, of San Francisco, California, a Corresponding Member.

The PRESIDENT announced the death of Rev. Dr. Egbert C. Smyth, a Resident Member, as follows: —

At the last meeting of the Society the roll of its Resident Membership was, for the first time in many years, filled. We numbered one hundred living Resident Members.

A vacancy, however, was created on Tuesday last, through the death of Rev. Egbert Coffin Smyth at Andover. As the funeral of Dr. Smyth will not take place until to-morrow, I do not propose to call for a characterization of him here. I shall ask our associate Rev. Alexander McKenzie to come to the next meeting of the Society prepared in this respect. In the mean time, in accordance with our practice, it devolves on me merely to mention any immediate personal connection which Dr.

Smyth may have borne to the Society. He was elected at the December meeting of 1882, during the presidency of Mr. Winthrop. It was the largely attended meeting of the Society which greeted Mr. Winthrop on his return from his last visit to Europe. Dr. Smyth, though a constant attendant at our meetings, never closely identified himself with our Society; that is, he never served on more than one committee, never at all upon the Council, nor did he contribute largely to our Proceedings. Nevertheless, at the January meeting of 1886, he was appointed on a special committee to report what action the Society should take upon the Sibley bequest. Again, at the March meeting of 1891, he contributed some remarks when presenting to the Society a number of original papers relating to the construction and first occupancy of Fort Dummer, and to a conference with the Scatacook Indians held there. He further, at the March meeting of 1899, communicated a letter from Timothy Dwight to his son. Finally, at the March meeting of three years ago, he favored our Proceedings with some remarks on Jonathan Edwards. This was his last contribution. At the time of his death the name of Dr. Smyth stood twenty-eighth upon our roll. He had been a member of the Society four months over twenty-one years.

Mr. Samuel S. Shaw communicated the memoir of the Hon. Henry S. Nourse which he had been appointed to write.

Mr. Andrew McF. Davis, Senior Member at Large of the Council, presented their report.

Report of the Council.

From year to year it has been the pleasant duty of the Council to congratulate the Society upon the satisfactory condition of our finances. Our income is adequate for a reasonable activity in the way of publication; we have the means to secure for our library such additions as are of impending necessity, and our investments are reported to be in good condition. Under these circumstances, and mindful of the depredations to which business, religious, and eleemosynary corporations seem subject of late, we may rejoice that it is our privilege to repeat the phrases upon this topic already well worn by use in so many annual reports, thankful that their very monotony is a source of pleasure.

The regular meetings of the Society have during the current year been held in this building at their appointed times, and all of them have been well attended. Papers were read at each meeting, some of which provoked discussion, interesting to those who were present, but in a great measure lost to our records. Granting that the Annual Meeting, 1903, belongs in the year which we are at present considering, we may begin our review of these meetings by stating that there were two papers read at that meeting: "The Members of the Pilgrim Company in Leyden," by Morton Dexter, and "The Merchants' Notes of 1733" by Andrew McFarland Davis, — the former a painstaking and laborious research in a recondite field, and the latter a collation of items from contemporaneous newspapers bearing upon the financial experiment defined in its title. The May meeting was made interesting by a discussion concerning the battle of Marathon, introduced by the President, through suggestions which occurred to him on the occasion of a recent visit to Greece, and participated in by Prof. William W. Goodwin, whom the President called upon as an acknowledged authority on such subjects. At the same meeting Professor Goodwin submitted some reflections on the arrival of the Pilgrims at Plymouth and the difficulties of reconciling contemporaneous accounts with the topographic conditions demanded by their surroundings. Dr. Edward Channing added an account of his personal experiences while engaged in a similar study.

The June meeting was devoted to a discussion of the battle of Salamis, which was participated in by the President and Prof. William W. Goodwin. At the October meeting the President read a paper on "an alleged interview between Queen Victoria and Hon. C. F. Adams," in which it was demonstrated that an account by Hon. Abram S. Hewitt, purporting to be from memory, of a conversation with Hon. C. F. Adams in which the interview with Queen Victoria was described, was mainly "but the hallucination of an old man." The reading of this paper was followed by extended extempore remarks by Prof. Albert Bushnell Hart, on the present condition of the Southern States. Professor Hart's address induced a protracted discussion. At the November meeting Mr. James Schouler read a paper on "The Massachusetts Convention of 1853," and Mr. Josiah P. Quincy read one on "The Louisiana

Purchase; and the Appeal to Posterity." "The Prospectus of Blackwell's Bank, 1687," a document rescued from the Winthrop Papers, was submitted by Andrew McFarland Davis at the December meeting. James F. Hunnewell at the same meeting described his visit in Southern Devonshire to "Another Bunker Hill," and Charles Henry Hart, a Corresponding Member, submitted a paper on "Paul Revere's Portrait of Washington." At the January meeting the President presented an extended appreciation of the services to this country of Queen Victoria during our Civil War. Mr. Franklin B. Sanborn read, at the February meeting, a paper on "Samuel Langdon, S. T. D., Scholar, Patriot, and President of Harvard University," which was followed by some "Remarks on the joint meetings of the American Historical Association and American Economic Association in New Orleans, December, 1903," by James Ford Rhodes, and later by a paper on the "Woodbridge-Phillips Duel," by Samuel S. Shaw, and one on "The Landing of the Hessians" by Edmund F. Slafter. At the March meeting Prof. Charles Eliot Norton read a letter from Rev. Samuel Locke, afterward President of Harvard College, and later read a paper showing statistically the growth of the use of a middle name by students at Harvard.

The following important letters and documents were communicated: At the May meeting, Letters of Richard Price, 1767–1790, by Charles Eliot Norton; at the June meeting, Letters of Benjamin Vaughan, 1782–1783, by Charles Card Smith; at the October meeting, The Federal Constitution in Virginia, 1787–1788, by Worthington C. Ford.

The following vacancies in the membership exist: one in the Resident, two in the Corresponding, and four in the Honorary Membership.

During the year the following gentlemen were elected as Resident Members: Ephraim Emerton, April 9, 1903; Waldo Lincoln, May 14, 1903; Frederic Jesup Stimson, June 11, 1903; Edward Stanwood, October 8, 1903; Moorfield Storey, November 12, 1903; Thomas Minns, January 14, 1904; Roger Bigelow Merriman, February 11, 1904. The following were elected Corresponding Members: Horace Davis, April 9, 1903; Sidney Lee, January 14, 1904.

The following publications have been issued by the Society during the year: Proceedings, Second Series, Vol. XVI.

(March to December, 1902); Proceedings, Second Series, Vol. XVII. (January to October, 1903), and two serial numbers, November, 1903, to January, 1904.

Death has not spared our ranks during the year. The melancholy duty has fallen upon the Council of filling no less than four vacancies in our numbers occasioned by this cause. John Tyler Hassam departed this life on the 22d of April, 1903; William Sumner Appleton, April 28, 1903; George Harris Monroe, October 15, 1903; Henry Stedman Nourse, November 14, 1903. The death of a fifth member, Egbert Coffin Smyth, April 12, has occurred since our last meeting. We have lost during the year three Corresponding Members: Edward McCrady, November 1, 1903; Hermann Eduard von Holst, January 20, 1904; Sir Leslie Stephen, February 22, 1904.

In addition we have to record the loss of two Honorary Members: William Edward Hartpole Lecky, October 22, 1903; Theodor Mommsen, November 1, 1903.

The following memoirs have been presented to the Society during the year: October, 1903, memoir of John Davis Washburn, by Henry S. Nourse; October, 1903, memoir of William Sumner Appleton by Charles C. Smith; December, 1903, memoir of Roger Wolcott by William Lawrence; December, 1903, memoir of Edward Everett, communicated by William Everett; January, 1904, memoir of Horace Gray, by George F. Hoar.

The following is a list of such publications by members, during the year, as have come to the knowledge of the Council: —

The Constitutional Ethics of Secession, and "War is Hell." Two Speeches of Charles Francis Adams, delivered respectively at Charleston, S. C., December 22, 1902, and at New York, January 26, 1903.

The Acts and Resolves, Public and Private, of the Province of the Massachusetts Bay: to which are prefixed the Charters of the Province. With Historical and Explanatory Notes, and an Appendix. Volume XI. 1726–1734. Edited by Melville M. Bigelow.

Notes on the Report of Teobert Maler in Memoirs of the Peabody Museum. Vol. II., No. II. By Charles P. Bowditch. Privately printed.

Boston "Banks," 1681–1740. Those who were interested in them. By Andrew McFarland Davis.

The Confiscation of John Chandler's Estate. By Andrew McFarland Davis.

The Fund in Boston in New England. By Andrew McFarland Davis.

New Hampshire Notes, 1735. Those who agreed not to receive them. By Andrew McFarland Davis.

The Beauty of Wisdom. By James DeNormandie.

More Money for the Public Schools. By Charles W. Eliot.

Ultimate Conceptions of Faith. By George A. Gordon.

Peabody Education Fund. Proceedings of the Trustees at their Forty-third Meeting, New York, 8 October, 1903. Edited by Samuel Abbott Green, Secretary and General Agent.

Peabody Education Fund. Proceedings of the Trustees at their Forty-fourth Meeting (a special meeting), Washington, 28th January, 1904. Edited by Samuel A. Green, Secretary and General Agent.

Ten Fac-simile Reproductions relating to Various Subjects. By Samuel Abbott Green.

The Ideas of the Founders. An Address delivered before the Brooklyn Institute, November 4, 1903. By Edward E. Hale.

Library of Inspiration and Achievement. By Edward E. Hale.

New England History in Ballads. By Edward E. Hale.

"We, the People." By Edward E. Hale.

Adolescence. By G. Stanley Hall.

Actual Government as applied under American Conditions. (American Citizen Series.) By Albert B. Hart.

Handbook of the History, Diplomacy, and Government of the United States. By Albert B. Hart.

Source Readers in American History. By Albert B. Hart and others. No. 4, The Romance of the Civil War.

Reader's History of American Literature. By Thomas Wentworth Higginson and H. W. Boynton.

An Address delivered by United States Senator George F. Hoar. Thomas Jefferson Memorial Association, Washington, D. C. [April 13, 1903.] By George F. Hoar.

Autobiography of Seventy Years. By George F. Hoar.

Washington. Address before the Union League Club of Chicago. By George F. Hoar, February 23, 1903.

Getting One's Bearings. Observations for Direction and Distance. By Alexander McKenzie.

The Poet Gray as a Naturalist, with selections from his Notes on the Systema Naturæ of Linnæus and Fac-similes of some of his Drawings. By Charles Eliot Norton.

The Narrative of the Captivity and Restoration of Mrs Mary Rowlandson. First printed in 1682 at Cambridge, Massachusetts, and Lon-

don, England. Now reprinted in Fac-simile Whereunto are annexed a Map of her Removes, Biographical and Historical Notes and the last Sermon of her husband Rev. Joseph Rowlandson. By Henry S. Nourse and John E. Thayer.

Remarks on the Manuscripts in the Library of the American Antiquarian Society. From the Report of the Council, presented April 29, 1903. By Nathaniel Paine.

Eighty Years of Union. Being a Short History of the United States, 1783–1865. By James Schouler.

The Publications of the Prince Society. Established May 25th, 1858. Sir Humfrey Gylberte and his enterprise of Colonization in America. Edited by the Rev. Carlos Slafter, with a Prefatory Note by the President of the Society, the Rev. Edmund F. Slafter.

The Diocesan Library, being the Twentieth Annual Report made to the Convention of the Protestant Episcopal Church in the Diocese of Massachusetts, held in Boston, May 13 and 14, 1903. By the Rev. Edmund F. Slafter, Registrar of the Diocese.

William Sumner Appleton. By Charles C. Smith. [From the Proceedings of the American Academy of Arts and Sciences, Vol. XXXIX.]

The various officers of this Society are required by our by-laws to be elected annually, and with the exception of a provision in the case of Councillors whereby rotation in the Council is secured, it is evident that, notwithstanding the prescribed brevity of the term of their office, it was contemplated by those who drafted the instrument that such persons as should secure election to the permanent offices of this Society should practically hold them through successive re-elections — if not for the remainder of their respective lives, at least as long as the service should prove agreeable to them. These expectations have been practically realized, and year by year the Nominating Committee has had thrown upon it the simple duty of selecting the names of two candidates for the Council. Election to office in this Society is not an absolute guarantee against ill health or death; hence once in a while there will be some vacancy, from one of these causes, in the list of permanent officers; but it seldom happens, as is the case this year, that the Nominating Committee has thrust upon it the important service of presenting simultaneously the names of candidates to fill two vacancies in the staff of the Society. An examination of the ticket which will be submitted to the Society by the Council will disclose the fact that it no longer bears the honored name of Thomas Jefferson Coolidge, for

several years one of our Vice-Presidents, and it will be noticed that another name has been substituted for that of Henry Fitch Jenks, whose form has become familiar to all of us through his response at our meetings to the call of the President for the report of the Cabinet-Keeper.

The Council cannot permit the withdrawal of the name of Hon. Thomas Jefferson Coolidge from the ticket without some expression of regret that he should have insisted that this action should be taken.

In permitting another name to be substituted for that of Mr. Jenks for the office of Cabinet-Keeper, the Council feel that it would fail in its duty if it neglected to express its sympathy for Mr. Jenks in the protracted illness which prevents him from performing the duties of his office. During the period that Mr. Jenks served as Cabinet-Keeper the collections of the Society were removed from their former place of deposit. The numerous portraits belonging to the Society were hung upon the walls of this building, and the busts were placed in the positions which they now occupy. Cases were prepared for use in the room devoted to the display of objects of historical interest, and with infinite labor and great skill the various objects exhibited there were arranged and duly labelled. All of this work Mr. Jenks superintended. Much of it he actually performed. The Council feel that the thanks of the Society are due him in recognition of his arduous labors in this regard.

The Annual Report of the Treasurer and the Report of the Auditing Committee were presented in print, as usual:

Report of the Treasurer.

In compliance with the requirements of the By-Laws, Chapter VII., Article 1, the Treasurer respectfully submits his Annual Report, made up to March 31, 1904.

The special funds held by him are twenty-one in number, and are as follows: —

I. The Appleton Fund, which was created Nov. 18, 1854, by a gift to the Society, from Nathan Appleton, William Appleton, and Nathaniel I. Bowditch, trustees under the will of Samuel Appleton, of stocks of the appraised value of ten thousand dollars. These stocks were subsequently sold for $12,203,

at which sum the fund now stands. The income is applicable to "the procuring, preserving, preparation, and publication of historical papers."

II. THE MASSACHUSETTS HISTORICAL TRUST-FUND, which now stands, with the accumulated income, at $10,000. This fund originated in a gift of two thousand dollars from the Hon. David Sears, presented Oct. 15, 1855, and accepted by the Society Nov. 8, 1855. On Dec. 26, 1866, it was increased by a gift of five hundred dollars from Mr. Sears, and another of the same amount from another associate, Nathaniel Thayer. The annual income must be added to the principal between July and January, or by "a recorded vote" of "the Society" it may "be expended in such objects as to them may be desirable." The directions in Mr. Sears's declaration of trust may be found in the printed Proceedings for November, 1855.

III. THE DOWSE FUND, given to the Society by George Livermore and Eben. Dale, executors of the will of Thomas Dowse, April 9, 1857, for the "safe keeping" of the Dowse Library, which was formally given by Mr. Dowse to the Society in July, 1856. It amounts to $10,000. The balance of income for the year has been placed to the credit of the General Account, in accordance with what was understood to be the wish of the executors.

IV. THE PEABODY FUND, which was presented by the eminent banker and philanthropist George Peabody, in a letter dated Jan. 1, 1867, and now stands at $22,123. The income is available only for the publication and illustration of the Society's Proceedings and Memoirs, and for the preservation of the Society's Historical Portraits.

V. THE SAVAGE FUND, which was a bequest from the Hon. James Savage, President from 1841 to 1855, received in June, 1873, and now stands on the books at the sum of $6,000. The income is to be used for the increase of the Society's Library.

VI. THE ERASTUS B. BIGELOW FUND, which was given in February, 1881, by Mrs. Helen Bigelow Merriman, in recognition of her father's interest in the work of the Society. The original sum was one thousand dollars; but the interest was added to the principal to bring the amount up to $2,000, at which it now stands. There is no restriction as to the use to be made of this fund; but up to the present time

the income has been used only for the purchase of important books of reference needed in the Library.

VII. The William Winthrop Fund, which amounts to the sum of $3,000, and was received Oct. 13, 1882, under the will of William Winthrop, for many years a Corresponding Member of the Society. The income is to be applied "to the binding for better preservation of the valuable manuscripts and books appertaining to the Society."

VIII. The Richard Frothingham Fund, which represents a gift to the Society, on the 23d of March, 1883, from the widow of Richard Frothingham, Treasurer from 1847 to 1877, of a certificate of twenty shares in the Union Stock Yard and Transit Co., of Chicago, of the par value of $100 each, and of the stereotype plates of Mr. Frothingham's "Siege of Boston," "Life of Joseph Warren," and "Rise of the Republic." The fund stands on the Treasurer's books at $3,000, exclusive of the copyright. There are no restrictions on the uses to which the income may be applied.

IX. The General Fund, which now amounts to $43,324.43. It represents the following gifts and payments to the Society, and withdrawals from the Building Account: —

1. A gift of two thousand dollars from the residuary estate of Mary Prince Townsend, by the executors of her will, William Minot and William Minot, Jr., in recognition of which, by a vote of the Society, passed June 13, 1861, the Treasurer was "directed to make and keep a special entry in his account books of this contribution as the donation of Miss Mary P. Townsend."

2. A legacy of two thousand dollars from Henry Harris, received in July, 1867.

3. A legacy of one thousand dollars from our associate George Bemis, received in March, 1879.

4. A gift of one hundred dollars from our associate Ralph Waldo Emerson, received in April, 1881.

5. A legacy of one thousand dollars from our associate Williams Latham, received in May, 1884.

6. A bequest of five shares in the Cincinnati Gas-Light and Coke Co. from George Dexter, Recording Secretary from 1878 to 1883, received in June, 1884. This bequest for several years stood on the Treasurer's books at $900, at which sum the shares were valued when the incomes arising from

separate investments were all merged in one consolidated account. Besides the regular quarterly dividends there has been received up to the present time from the sale of subscription rights, etc., the sum of $337.56, which has been added to the nominal amount of Mr. Dexter's bequest.

7. A legacy of one thousand dollars from our associate the Hon. EBENEZER ROCKWOOD HOAR, received in February, 1895.

8. Twenty-eight commutation fees of one hundred and fifty dollars each.

9. The sum of $29,955.17 was withdrawn from the proceeds of the sale of the Tremont Street estate, and added to this fund; and the sum of $731.70 received from the Medical Library for cost of party-wall was deducted from the cost of the real estate and added to this fund.

X. THE ANONYMOUS FUND, which originated in a gift of $1,000 to the Society in April, 1887, communicated in a letter to the Treasurer, from a valued associate, printed in the Proceedings (2d series, vol. iii. pp. 277, 278). A further gift of $250 was received from the same generous friend in April, 1888. The income has been added to the principal; and in accordance with the instructions of the giver this policy is to be continued (see Proceedings, 2d series, vol. xiii. pp. 66, 67). The fund now stands at $2,948.51.

XI. THE WILLIAM AMORY FUND, which was a bequest of $3,000, from our associate William Amory, received Jan. 7, 1889. There are no restrictions on the uses to which the income may be applied.

XII. THE LAWRENCE FUND, which was a bequest of $3,000, from our associate the younger Abbott Lawrence (H. U., Class of 1849), received in June, 1894. The income is "to be expended in publishing the Collections and Proceedings" of the Society. The cost of publishing Volume XVII. of the Second Series of the Proceedings was charged against the income of this fund.

XIII. THE ROBERT C. WINTHROP FUND, which was a bequest of $5,000, from the Hon. Robert C. Winthrop, President from 1855 to 1885, received in December, 1894. No restrictions were attached to this bequest; but by a vote of the Society passed Dec. 13, 1894, it was directed that the income "shall be expended for such purposes as the Council may from time to time direct."

XIV. The Waterston Publishing Fund, which was a bequest of $10,000, from our associate the Rev. Robert C. Waterston, received in December, 1894. The income is to be used as a publishing fund, in accordance with the provisions of Mr. Waterston's will printed in the Proceedings (2d series, vol. viii. pp. 172, 173). The cost of publishing Volume XVIII. of the Second Series of the Proceedings, of which two serial numbers have already been issued, will be charged against the income of this fund.

XV. The Ellis Fund, which originated in a bequest to the Society of $30,000, by Dr. George E. Ellis, President from 1885 to 1894. This sum was paid into the Treasury Dec. 20, 1895; and to it has been added the sum of $1,663.66 received from the sale of various articles of personal property, also given to the Society by Dr. Ellis, which it was not thought desirable to keep, making the whole amount of the fund $31,663.66. No part of the original sum can be used for the purchase of other real estate in exchange for the real estate specifically devised by Dr. Ellis's will.

Besides the bequest in money, Dr. Ellis by his will gave to the Society his dwelling-house No. 110 Marlborough Street, with substantially all its contents. In the exercise of the discretion which the Society was authorized to use, this house was sold for the sum of $25,000, and the proceeds invested in the more eligible estate on the corner of the Fenway and Boylston Street. The full sum received from the sale was entered on the Treasurer's books, to the credit of Ellis House, in perpetual memory of Dr. Ellis's gift.

XVI. The Lowell Fund, which was a bequest of the Hon. John Lowell (H. U., Class of 1843), amounting to $3,000, received September 13, 1897. There are no restrictions on the uses to which the income may be applied.

XVII. The Waterston Fund, which was received April 21, 1900, in full satisfaction of a bequest from our associate the Rev. Robert C. Waterston. Some legal questions having arisen in connection with this bequest, the matter was compromised, and the sum of $5,000 was received, as stated in the Proceedings (2d series, vol. xiv. pp. 163, 164). The income is to be used for printing a catalogue of the Waterston Library, for printing documents from it, and for making additions to the Library from time to time. The catalogue of the

Library is nearly ready for the press; and it is expected that the volume will be issued in the course of the next financial year.

XVIII. THE WATERSTON FUND NO. 2, which was a further bequest of $10,000 from Mr. Waterston, in regard to which there were no legal questions, and which was also received April 21, 1900. The income is to be used for "printing and publishing any important or interesting autograph, original manuscripts, letters or documents which may be in possession of" the Society.

Besides the three Funds, for the creation of which provision was made by Mr. Waterston's will, the Treasurer received, under the will, the sum of $10,000, to be applied to the fitting up of a room or portion of a fire-proof building for the commodious and safe keeping of the Waterston Collection. A room was accordingly set apart for that purpose, and the larger part of this sum was expended in making it convenient and attractive. Some further expenditures must be made on this account, and any balance of cash remaining in the hands of the Treasurer will be used, in accordance with the terms of the will, in adding books to the collection, under the direction of the Council.

XIX. THE ROBERT CHARLES BILLINGS FUND. This was a gift of $10,000, received April 16, 1903, from the surviving executors of the will of the late Robert Charles Billings. The income is to be used only for publications.

XX. THE JOHN LANGDON SIBLEY FUND. The amount to the credit of this fund represents a payment to the Treasurer of $4,000 on account, received Aug. 5, 1903, with interest at the rate of 4 per cent per annum since that time. It is expected that the balance coming to the Society will be received soon after the Annual Meeting.

XXI. THE CHARLOTTE A. L. SIBLEY FUND. The amount to the credit of this fund represents a payment to the Treasurer of $2,000 on account, received Aug. 5, 1903, with interest at the rate of 4 per cent per annum since that time. It is expected that the balance coming to the Society will be received soon after the Annual Meeting.

On Dec. 16, 1903, the Treasurer received from the executors under the will of the late Hon. Mellen Chamberlain the sum of $5,529, on account of Judge Chamberlain's

bequest to the Society to defray the cost of publishing his "History of Chelsea." This bequest will be treated for the present as an open account, — all payments for the History being charged to it, and interest credited on unexpended balances available for the purpose. It is expected that a further sum will be received on the final settlement of Judge Chamberlain's estate.

The Treasurer also holds a deposit book in the Five Cent Savings Bank for $100 and interest, which is applicable to the care and preservation of the beautiful model of the Brattle Street Church, deposited with us in April, 1877.

It should not be forgotten that besides the gifts and bequests represented by these funds, which the Treasurer is required to take notice of in his Annual Report, numerous gifts have been made to the Society from time to time, and expended for the purchase of the real estate, or in promoting the objects for which the Society was organized. A detailed account of these gifts was included in the Annual Report of the Treasurer, dated March 31, 1887, printed in the Proceedings (2d series, vol. iii. pp. 291–296) ; and in the list of the givers there enumerated will be found the names of many honored associates, now living or departed, and of other gentlemen, not members of the Society, who were interested in the promotion of historical studies. They gave liberally in the day of small things ; and to them the Society is largely indebted for its present prosperity and usefulness.

To the benefactors there mentioned must be added Charles Francis Adams, President of the Society, who, in the summer of 1895, bought a lot of land on the Fenway (3,000 square feet), with a view of adding it to the lot bought by the Society, in case the latter should prove too small. When the plans for the new building were drawn, it was found to be desirable to make some change in the lines of the Society's estate, and the lot bought by the President was conveyed to the Society, with a verbal understanding that he should receive for it an equal quantity of land on Boylston Street. In February, 1901, a portion of unoccupied land on Boylston Street ($2{,}622\frac{4}{10}$ square feet) was sold to indemnify the President for the land conveyed by him to the Society. The difference ($3,000) between the sum paid by the President ($15,000) and the amount received for the land sold ($12,000)

was an absolute gift to the Society, and to this difference must be added the interest on $15,000 from the date of the original purchase up to the date of sale of the Boylston Street land, a period of nearly six years.

The stock and bonds held by the Treasurer as investments on account of the above-mentioned funds are as follows: —

$10,000 in the five per cent mortgage bonds of the Chicago and West Michigan Railroad Co.;

$5,000 in the four per cent bonds of the Rio Grande Western Railroad Co.;

$8,000 in the four per cent bonds of the Chicago, Burlington, and Quincy Railroad Co.;

$5,000 in the five per cent gold bonds of the Cincinnati, Dayton, and Ironton Railroad Co.;

$1,500 in the new four per cent mortgage bonds of the Atchison, Topeka, and Santa Fé Railroad Co.;

$2,000 in the adjustment four per cent bonds, and thirty-three shares of the preferred stock of the same corporation, received in exchange for bonds of said corporation held by the Treasurer at the time of its reorganization;

$11,000 in the five per cent collateral trust bonds of the Chicago Junction Railways and Union Stock Yards Co.;

$10,000 in the new five per cent bonds of the Oregon Short Line Railroad Co.;

$12,000 in the five per cent bonds of the Lewiston-Concord Bridge Co.;

$6,000 in the four and one half per cent bonds of the Boston and Maine Railroad Co.;

$10,000 in the four per cent bonds of the American Telephone and Telegraph Co.;

$2,000 in the four per cent joint bonds of the Northern Pacific Railroad Co. and the Great Northern Railroad Co.;

$7,000 in the convertible five per cent bonds of the Kansas City Stock Yards Co.;

$6,000 in the four per cent bonds of the Long Island Railroad Co.;

$15,000 in the six per cent mortgage notes of G. St. L. Abbott, Trustee;

Fifty shares in the Merchants' National Bank of Boston;

Fifty shares in the State National Bank of Boston;

Fifty shares in the National Bank of Commerce of Boston;

Fifty shares in the National Union Bank of Boston;

Fifty shares in the Second National Bank of Boston;

Twenty-five shares in the National Shawmut Bank of Boston;

Thirty-five shares in the Boston and Albany Railroad Co.;

Twenty-five shares in the Old Colony Railroad Co.;

Twenty-five shares in the preferred stock of the Fitchburg Railroad Co.;

One hundred shares in the preferred stock of the Chicago Junction Railways and Union Stock Yards Co.;

Three hundred shares in the preferred stock of the American Smelting and Refining Co.;

One hundred shares in the Kansas City Stock Yards Co.;

Ten shares in the Cincinnati Gas and Electric Co., received in exchange for five shares in the Cincinnati Gas-Light and Coke Co.;

Five shares in the Boston Real Estate Trust (of the par value of $1,000);

Five shares in the State Street Exchange; and

Three shares in the Pacific Mills (of the par value of $1,000).

The following abstracts and the trial balance show the present condition of the several accounts: —

CASH ACCOUNT.

DEBITS.

1903. March 31.	To balance on hand	$630.45
1904. March 31.	„ receipts as follows: —	
	General Account	3,708.35
	Consolidated Income	12,009.63
	Income of Richard Frothingham Fund	79.10
	Waterston Library	13.75
	Robert Charles Billings Fund	10,000.00
	John Langdon Sibley Fund	4,000.00
	Charlotte A. L. Sibley Fund	2,000.00
	Investments	9,825.00
	Chamberlain Bequest	5,520.00
		$47,786.28
March 31.	To balance brought down	$3,247.92

CREDITS.

1904. March 31.	By payments as follows: —	
	Investments	$32,088.30
	Waterston Library	54.50
	Income of E. B. Bigelow Fund	6.25
	Income of Savage Fund	470.92
	Income of William Winthrop Fund	246.50
	Income of Waterston Publishing Fund	368.70
	Income of Peabody Fund	329.66
	Income of Lawrence Fund	1,397.02
	Consolidated Income	129.89
	Chamberlain Bequest	331.67
	General Account	9,114.95
	„ balance on hand	3,247.92
		$47,786.28

GENERAL ACCOUNT

DEBITS

1903.		
March 31.	To balance brought forward	$9,567.77
1904.		
March 31.	„ sundry charges and payments: —	
	Salaries of Librarian's Assistants	3,997.00
	Services of Janitor	900.00
	Printing and binding	332.22
	Stationery and postage	125.90
	Light	55.26
	Water	73.00
	Coal and wood	634.14
	Miscellaneous expenses	454.41
	Editing publications of the Society	2,000.00
	Painting and repairs	543.02
		$18,682.72
March 31.	By balance brought down	$9,899.56

CREDITS.

1904.		
March 31.	By sundry receipts: —	
	Interest	$85.24
	Income of General Fund	2,586.99
	Income of Ellis Fund	1,890.70
	Income of Dowse Fund	597.12
	Admission Fees	175.00
	Assessments	720.00
	Sales of publications	1,008.59
	On account of expenses for maintenance, etc.	1,719.52
	„ balance carried forward	9,899.56
		$18,682.72

Income of General Fund.

DEBITS.

1904.		
March 31.	To amount placed to credit of General Account	$2,586.99

CREDITS.

1904.		
March 31.	By proportion of consolidated income	$2,586.99

Income of Richard Frothingham Fund.

CREDITS.

1903.		
March 31.	By balance brought forward	$1,262.77
1904.		
March 31.	„ copyright received	79.10
	„ proportion of consolidated income	179.14
		$1,521.01
March 31.	By amount brought down	$1,521.01

Income of Savage Fund.

DEBITS.

1903.		
March 31.	To balance brought forward	$106.06
1904.		
March 31.	„ amount paid for books	470.92
		$576.98
March 31.	To balance brought forward	$218.71

CREDITS.

1904.		
March 31.	By proportion of consolidated income	$358 27
	„ balance carried forward	218.71
		$576.98

Income of Ellis Fund.

DEBITS.

1904.		
March 31.	To amount carried to General Account	$1,890.70

CREDITS.

1904.		
March 31.	By proportion of consolidated income	$1,890.70

Income of E. B. Bigelow Fund.

DEBITS.

1904.		
March 31.	To amount paid for books	$6.25
	„ balance carried forward	817.15
		$823.40

CREDITS.

1903.		
March 31.	By balance brought forward	$703.98
1904.		
March 31.	„ proportion of consolidated income	119.42
		$823.40
March 31.	By balance brought forward	$817.15

Income of Massachusetts Historical Trust Fund.

CREDITS.

1903.		
March 31.	By balance brought forward	$1,684.29
1904.		
March 31.	„ proportion of consolidated income	597.12
		$2,281.41
March 31.	By balance brought forward	$2,281.41

Income of Peabody Fund.

DEBITS.

1903.		
March 31.	To balance brought forward	$336.53
1904.		
March 31.	„ amount paid for printing and binding	329.66
	„ balance carried forward	654.81
		$1,321.00

CREDITS.

1904.		
March 31.	By proportion of consolidated income	$1,321.00
March 31.	By balance brought down	$654.81

Income of Dowse Fund.

DEBITS.

1904.		
March 31.	To amount transferred to General Account	$597.12

CREDITS.

1904.		
March 31.	By proportion of consolidated income	$597.12

Income of William Winthrop Fund.

DEBITS.

1904.		
March 31.	To amount paid for binding	$246.50
	„ balance carried forward	341.75
		$588.25

CREDITS.

1903.		
March 31.	By balance brought forward	$409.11
1904.		
March 31.	„ proportion of consolidated income	179.14
		$588.25
March 31.	By balance brought forward	$341.75

Income of Appleton Fund.

CREDITS.

1903.		
March 31.	By balance brought forward	$4,414.27
1904.		
March 31.	„ proportion of consolidated income	728.67
		$5,142.94
March 31.	By balance brought forward	$5,142.94

Chamberlain Bequest.

DEBITS.

1904.		
March 31.	To amount paid for preparation of copy of "History" .	$331.67
	" balance carried forward	5,261.13
		$5,592.80

CREDITS.

1904.		
March 31.	By amount received from the Executors	$5,520.00
	„ amount of interest added	72.80
		$5,592.80
March 31.	By balance brought down	$5,261,13

Waterston Publishing Fund.

DEBITS.

1904.		
March 31.	To amount paid for publishing "Proceedings"	$368.70
	„ balance carried forward	4,421.78
		$4,790.48

CREDITS.

1903.		
March 31.	By amount brought forward	$4,193.36
1904.		
March 31.	" proportion of consolidated income	597.12
		$4,790.48
March 31.	By balance brought down	$4,421.78

Income of Lawrence Fund.

DEBITS.

1904.		
March 31.	To amount paid for printing and binding	$1,397.02
	„ balance carried forward	129.29
		$1,526.31

CREDITS.

1903.		
March 31.	By amount brought forward	$1,347.17
1904.		
March 31.	„ proportion of consolidated income	179.14
		$1,526.31
March 31.	By balance brought down	$129.29

Waterston Library.

DEBITS.

1904.		
March 31.	To amount paid for books purchased	$54.50
	„ balance carried forward	3,956.14
		$4,010.64

CREDITS.

1903.		
March 31.	By balance brought forward	$3,996.89
1904.		
March 31.	„ sale of duplicates	13.75
		$4,010.64
March 31.	By balance brought down	$3,956.14

TRIAL BALANCE.

DEBITS.

Cash	$3,247.92
Investments	220,833.02
Real Estate	97,593.32
General Account	9,899.56
Income of Savage Fund	218,71
	$331,792.53

CREDITS.

Building Account	$72,593.32
Ellis House	25,000.00
Appleton Fund	12,203.00
Dowse Fund	10,000.00
Massachusetts Historical Trust-Fund	10,000.00
Peabody Fund	22,123.00
Savage Fund	6,000.00
Erastus B. Bigelow Fund	2,000.00
William Winthrop Fund	3,000.00
Richard Frothingham Fund	3,000.00
General Fund	43,324.43
Anonymous Fund	2,948.51
William Amory Fund	3,000.00
Lawrence Fund	3,000.00
Robert C. Winthrop Fund	5,000.00
Waterston Publishing Fund	10,000.00
Ellis Fund	31,663.66
Lowell Fund	3,000.00
Waterston Fund	5,000.00
Waterston Fund No. 2	10,000.00
Robert Charles Billings Fund	10,000 00
John Langdon Sibley Fund	4,104.89
Carried forward	$296,960.81

Brought forward	$296,960.81
Charlotte A. L. Sibley Fund	2,052.44
Chamberlain Bequest	5,261.13
Waterston Library	3,956.14
Income of Lowell Fund	1,062.85
Income of Appleton Fund	5,142.94
Income of William Winthrop Fund	341.75
Income of Massachusetts Historical Trust-Fund	2,281.41
Income of Richard Frothingham Fund	1,521.01
Income of William Amory Fund	792.68
Income of E. B. Bigelow Fund	817.15
Income of Lawrence Fund	129.29
Income of Robert C. Winthrop Fund	2,395.25
Income of Waterston Publishing Fund	4,421.78
Income of Waterston Fund	1,134.66
Income of Waterston Fund No. 2	2,269.31
Income of Robert C. Billings Fund	597.12
Income of Peabody Fund	654.81
	$331,792.53

The aggregate amount of the invested funds is $201,419.93. The securities which represent these funds stand on the Treasurer's books at their net cost $220,833.02; but their market value is considerably higher.

The income for the year derived from these investments and credited to the several funds, in proportion to the amount at which they stand on the Treasurer's books, was a little less than six per cent.

CHARLES C. SMITH, *Treasurer.*

BOSTON, March 31, 1904.

Report of the Auditing Committee.

The undersigned, a Committee appointed to examine the accounts of the Treasurer of the Massachusetts Historical Society, as made up to March 31, 1904, have attended to that duty, and report that they find them correctly kept and properly vouched; that the securities held by the Treasurer for the several funds correspond with the statement in his Annual Report; that the balance of cash on hand is satisfactorily accounted for; and that the Trial Balance is accurately taken from the Ledger.

WINSLOW WARREN,
THOMAS MINNS, } *Committee.*

BOSTON, April 8, 1904.

The Librarian read his Report, as follows: —

Report of the Librarian.

During the year there have been added to the Library: —

Books	561
Pamphlets	968
Unbound volumes of newspapers	31
Bound volumes of newspapers	38
Broadsides	19
Maps	21
Manuscripts	2,857
Bound volumes of manuscripts	110
In all	4,605

Of the volumes added 329 have been given, 173 bought, and 97 by binding. Of the pamphlets added, 743 have been given, 198 bought, and 27 procured by exchange.

From the income of the Savage Fund there have been bought 172 volumes, 198 pamphlets, 1 bound volume of newspapers, 4 unbound volumes of newspapers, 3 maps, 4 broadsides, 1 manuscript; and 10 volumes have been bound.

From the income of the William Winthrop Fund there have been bound 87 volumes, including 37 volumes of newspapers, and 4 volumes have been repaired.

Of the books added to the Rebellion Department, 16 have been given, and 85 bought; and of the pamphlets added, 79 have been given, and 61 bought. There are now in the collection 2,864 volumes, 5,421 pamphlets, 834 broadsides, and 110 maps.

In the collection of manuscripts there are 1,134 volumes, 192 unbound volumes, 97 pamphlets with manuscript notes, and 14,026 manuscripts.

The Library contains at the present time about 47,802 volumes; and this enumeration includes the files of bound newspapers, bound manuscripts, the Dowse Collection, and the Waterston Collection. The number of Waterston books, hitherto not included but now added to the Library, is 3,493; and the catalogue of this special collection will soon go to press. The Ellis books are still in process of cataloguing, and when the work is finished these too will be added.

The Somerby volumes of genealogical material, which were given to the Society by Mr. and Mrs. Edward M. Stebbins, on June 11, 1874, have been deposited with the New-England Historic Genealogical Society, in accordance with a vote of the Council on November 12, 1903. Of this collection only 102 volumes had been hitherto counted with the volumes in the Library.

The number of pamphlets now in the Library, including duplicates, is 106,366; and the number of broadsides, including duplicates, is 4,099.

Respectfully submitted,

SAMUEL A. GREEN,

April 14, 1904. *Librarian.*

In the absence of the Cabinet-Keeper, the Librarian made the following Report: —

Report of the Cabinet-Keeper.

Owing to the illness and absence of the Cabinet-Keeper, I have been requested to make the Annual Report. The accessions during the year have been received from eleven different persons, and they comprise a variety of gifts. The rarest and most valuable of these additions are: —

An engraving by Amos Doolittle, New Haven, August 14, 1799, entitled "A New Display of the United States," which has in the centre a portrait of John Adams. Given by the family of the late Professor John Farrar, of Lincoln.

Photogravure prints from mezzotints by Peter Pelham of Cotton Mather, 1728; Benjamin Colman, 1735; William Pepperrell, 1747; William Shirley, 1747; Charles Brockwell, 1750; Henry Caner, 1750; Timothy Cutler, 1750; William Hooper, 1750; Thomas Prince, 1750; Thomas Hollis, 1751; John Moorhead, 1751; Mather Byles; and one of John Adams, by Savage. Given by Frederick Lewis Gay.

A rude sketch of the "Stuart Hospital at Richmond, Va., drawn by J. W. Allen, 1864." Given by William Henry Palmer, late Surgeon of the Third New York Cavalry.

The Cabinet has been opened on Wednesday afternoons, though the attendance has been small.

Respectfully submitted,

SAMUEL A. GREEN.

April 14, 1904.

MR. CHARLES K. BOLTON read the Report of the Committee to examine the Library and Cabinet: —

Report of the Committee on the Library and Cabinet.

Your committee appointed to visit the Library and Cabinet spent a pleasant afternoon inspecting the treasures which have been brought together through the zeal of the members and friends of this Society during the last hundred years. We may congratulate ourselves on the possession of many of the best works in the various branches of learning, as well as a very satisfactory collection of works relating to local and American history.

The use of books in public libraries is so destructive that we may properly consider it a part of our mission to gather, preserve, and hand down a well-selected library of New England history, which shall lack nothing of real importance, and shall have sets of annuals and serials complete as far as may be possible. A larger fund for the acquisition of rare Americana would be a welcome bequest, and would make possible purchases which seem unwarranted with the Society's present income available for this purpose. These books once upon our shelves would be a worthy legacy to future members.

We noticed with pleasure the invaluable manuscripts, pamphlets, newspapers, and special collections, such as that relating to the Rebellion. They have been arranged with care, and any work can be found at a moment's notice.

While one object of the Society should be to collect works of a strictly historical nature, there is much other material that is valuable for the light which it throws upon our institutions and the social life of the past. The large and curious collection of early song and hymn books illustrates admirably a phase of activity and self-improvement that we are glad to believe was wide-spread and influential in our country towns a century and more ago. We are not sure that they are now less instructive than the long sermons which were delivered at the other end of the church, and were passed on in print to be so often searched in vain by us for enlightening historical data.

The Cabinet proved equally attractive. Many articles in the cases will be found useful by the artist or writer who

would picture the life of the Colonies for illustrated histories or school books.

In recent reports on the Library and Cabinet various plans for affording more space have been considered at some length. We have nothing further to suggest on this subject.

The members of this Committee appreciate the opportunity afforded them to become better acquainted with the Society's home. Through the kindness of the Librarian, Dr. Green, and the helpfulness of his assistants, Mr. Tuttle and Mr. Page, they have come to appreciate more fully the facilities for investigation offered by the Society to its members.

CHARLES K. BOLTON,
EDWARD STANWOOD,
MELVILLE M. BIGELOW,
Committee.

April, 1904.

MR. ANDREW MCF. DAVIS, from the Committee to nominate officers for the ensuing year, reported the following list of candidates; and the persons named were duly elected.

For President.

CHARLES FRANCIS ADAMS.

For Vice-Presidents.

SAMUEL ABBOTT GREEN.
JAMES FORD RHODES.

For Recording Secretary.

EDWARD JAMES YOUNG.

For Corresponding Secretary.

HENRY WILLIAMSON HAYNES.

For Treasurer.

CHARLES CARD SMITH.

For Librarian.

SAMUEL ABBOTT GREEN.

For Cabinet-Keeper.

GRENVILLE HOWLAND NORCROSS.

For Members at Large of the Council.

WILLIAM ROSCOE THAYER.
SAMUEL LOTHROP THORNDIKE.
JAMES FROTHINGHAM HUNNEWELL.
JAMES DE NORMANDIE.
THOMAS WENTWORTH HIGGINSON.

Dr. Green having been elected to fill two offices, Mr. ARTHUR THEODORE LYMAN was, on motion of Mr. Davis in behalf of the Nominating Committee, elected an additional member of the Council, in order that that body should not be reduced below the number of thirteen persons.

Mr. GRENVILLE H. NORCROSS exhibited an original water-color drawing of a "View of the Colleges at Cambridge, Massachusetts, 1797," made by Houdin-Dorgemont, a young Frenchman from Guadaloupe, and sent by him to Abner Lincoln (H. C. 1788), the first Preceptor of Derby Academy, in Hingham, under whom the artist had studied when in Massachusetts. The picture belongs to Mrs. Henry F. Smith, of Concord, granddaughter of Mr. Lincoln.

Lieut. Col. WILLIAM R. LIVERMORE exhibited two hundred and forty maps for his forthcoming Historical Atlas of Europe, many of which had been exhibited at the January meeting in 1898.

The object of the Atlas is to show by a series of maps, one for each decade during the historical period, all the political changes that can be represented on a scale of $\frac{1}{7,000,000}$. The boundaries of the States and their subdivisions are shown as far as practicable, and where they are unknown the location of various races and tribes is shown in a more general manner. On the early sheets Italy and Greece are shown on a much larger scale.

The first map is dated 1500 B.C., the next 1000 B.C., then 800, then one every fifty years to 550 B.C., and every ten years from 520 B.C. to 1900 A.D., except in a few cases where there were no changes. About ninety-nine per cent of the work on the Atlas is completed, and about ninety-five per cent plotted.

In turning over the sheets Colonel Livermore called special attention to those parts of the work not completed in 1898, namely, Ancient Greece from 1500 to 320 B.C. and to all the modern maps from 1100 to 1900 A.D. He said: "It is hoped

that with this Atlas a student of European history will be able always to have before him a map showing the political boundaries of the period he may be investigating, and be relieved from the necessity of reduplicating the labors of his predecessors in the same domain.

"It is not to be expected that the first edition of the Atlas will be perfect in all its details, for information is always pouring in to enlighten almost all of the historical period; but it is a great advantage of the system adopted that its very defects will call attention to those parts of history that require investigation.

"I sincerely hope that its publication will induce other students to prepare similar Atlases of other parts of the world."

Remarks were made during the meeting by the PRESIDENT, Mr. WINSLOW WARREN, and other gentlemen.

MEMOIR

OF

HENRY S. NOURSE, A.M.

BY SAMUEL S. SHAW.

HENRY STEDMAN NOURSE, son of Stedman and Martha (Howard) Nourse, was born on April 9, 1832, in the village of New Boston now known as South Lancaster, in the town of Lancaster, Massachusetts. On his father's side he was descended from the unfortunate victim of the witchcraft delusion, Rebecca, wife of Francis Nourse, and on his mother's side from John Alden, the Pilgrim, through Alden's daughter, Ruth. Two of his great-grandfathers, Daniel Nourse and Jonathan Houghton, both of Bolton, were of the company of minutemen from that town that marched to Cambridge on the alarm of April 19, 1775, and are said to have "worn swords at Bunker Hill." They afterwards joined the Continental Army and were engaged in the subsequent operations of the Revolutionary War.

After passing through the district and high schools of his native town, where, according to his own account, an insatiable love of indiscriminate reading was mistaken by his parents for a love of study, he passed a happy period of life at the Lancaster Academy under the instruction of Mr. Henry C. Kimball, and in the companionship of his future classmate and lifelong friend, the late John D. Washburn, with whose memorial for this Society he was engaged during the last moments of his life.

Much against his will he entered Harvard as Freshman in 1849, where mathematics interested him more than any other of the college branches of instruction. While an undergraduate, to secure means for defraying his college expenses, he kept school at Lancaster during three winters with unusual

Henry S. Houste

success. On leaving college in 1853, Mr. Nourse was sent for by Professor Bowen and offered the position of Professor of Ancient Languages at Phillips Exeter Academy. This he accepted and held for two years, when an offer of the much more advantageous, but to him less agreeable, position of Principal of Bristol Academy, Taunton, induced him to change. While at Taunton he gave such hours as he could spare from his duties as teacher to the study of the law in the office of Messrs. Baylies and John E. Sanford, but without expectation of becoming a practitioner. At the end of two years his health broke down, and neuralgia, bronchial ailments, and dyspepsia combined to make his life miserable. He needed and desired out-of-door occupation, and he resolved to enter the profession of civil engineering, for which his mathematical and mechanical tastes well fitted him. In 1858, after a recreative journey through the Middle and Western States, he entered the office of Whitwell & Henck, Boston, who were engineers in charge of the work of filling the Back Bay, then just begun. In 1859 and 1860 he was engaged in building an extension of the Delaware Railway through the Eastern Shore of Maryland, when the work was interrupted by the troubles which culminated in the Civil War, and he returned to Massachusetts, thinking that his qualifications as an engineer would entitle him to a commission in a Massachusetts regiment, but, although supported by strong testimonials, he was disappointed in this, his only attempt at soliciting an office or an honor. Through a letter from an old schoolmate and close friend in Chicago, who had been commissioned its adjutant, he was asked to join the Douglas Brigade, which needed an engineer, as the organization was to be attached to Frémont's much talked of flotilla by which he proposed to open the Mississippi; but the plan was not carried out, and Mr. Nourse became Adjutant and Captain in the Fifty-fifth Illinois Regiment, in which he served for more than three years and took part in all but one of its thirty-one engagements, the chief of which were Shiloh, Russell House, Chickasaw Bayou, Arkansas Post, the two assaults and the siege of Vicksburg, Champions Hill, Jackson, the assault of Little Kenesaw, Atlanta, Ezra Church, Jonesboro, Fort McAllister, and Bentonville. He was slightly wounded in the ankle by a shell at Shiloh, and had the usual and some unusual "narrow escapes." During the march from

Atlanta to Richmond Captain Nourse was appointed Commissary of Musters for the Seventeenth Army Corps, and was mustered out as Captain, although a commission of Lieutenant-Colonel awaited him had he chosen to return to the West with his command, of which he had been for three months the senior officer.

In June, 1865, Mr. Nourse returned to his professional labors as engineer, and saw the completion of the Peninsula Railway to Crisfield, Maryland. Later he was employed upon the great bridge of the Pennsylvania Railroad across the Susquehanna at Perryville. In September, 1866, he received the appointment of resident engineer to the Pennsylvania Steel Company, and began the construction of their Bessemer steel works on the Susquehanna near Harrisburg, now known as Steelton, becoming Superintendent of the same June 1, 1868.

On September 12, 1872, Mr. Nourse was married to Mary B. (Whitney) Thurston, the widow of an old companion in arms, Captain George L. Thurston, by whom he had two children, girls, who died shortly after their birth. Becoming a victim to insomnia, owing to the strain of too much responsibility, Mr. Nourse resigned his office of Superintendent of the Steel Works January 1, 1874, and in August following, accompanied by his wife, began a year of travel in Europe, visiting in a leisurely way England, Holland, Belgium, Prussia, and Switzerland, passing six months in Italy, two in France, and the months of June and July, 1875, in England and Scotland, with complete restoration of health as the result.

Although invited on his return to become manager of new steel works in Missouri, Mr. Nourse thought it prudent to decline, and instead settled down at Lancaster, occupying himself with the care of a few acres of land, taking a working interest in town affairs, and being professionally employed by the Maverick Oil Company of East Boston.

Mr. Nourse was elected a member of the Massachusetts House of Representatives for the year 1883 by the Fifth Worcester Representative District, and chosen to represent the Fifth Worcester Senatorial District in the Senates of 1885 and 1886, and had the chairmanships of Committees on Roads and Bridges, Labor, and Public Service. His vote was against the Soldiers' Exemption bill. He reframed the State Game Laws in 1886 " in the interest of the birds " by radical amendments

of the bill which had passed the House, and which as amended by him passed the Senate unanimously, the House acquiescing. Mr. Nourse was appointed Trustee of the Worcester Insane Hospital in 1888, and held the office for two terms of six years each. In 1890 he became a member of the Free Library Commission, a position which he held at the time of his death, and in 1898 a member of the Board of Lunacy and Charity, besides being for more than twenty-five years one of the library trustees in Lancaster, and holding other town offices.

On July 29, 1899, he had the misfortune of losing his wife, to whom he was tenderly attached.

Mr. Nourse was a member of the American Antiquarian Society, the Massachusetts Historical Society, the Massachusetts Military Historical Society, and of the Massachusetts Order of the Loyal Legion of the United States. His published works were, 1884, "Early Records of Lancaster, 1643–1725"; 1887, "The Story of the Fifty-fifth Regiment Illinois Infantry Volunteers"; 1889, "The Military Annals of Lancaster, 1740–1865"; 1890, "The Birth, Marriage, and Death Register, Church Records and Epitaphs of Lancaster, 1643–1850"; 1894, "The History of the Town of Harvard"; 1899, "The Ninth Report of the Free Public Library Commission" (an illustrated history of the Public Libraries of Massachusetts); 1903, "The Narrative of the Captivity and Restoration of Mrs. Mary Rowlandson." Pamphlets: "The Hoar Family in America and its English Ancestry," "A Forgotten Patriot, General John Whitcomb," "Mrs. Mary Rowlandson's Removes," "The Public Libraries of Massachusetts," "The Bibliography of Lancaster, Massachusetts."

Mr. Nourse's literary work was distinguished not only by painstaking care and research, but by an agreeable humor and a keen appreciation of those incidents which gave a personal and human interest to dry details of local history.

Mr. Nourse died with extreme suddenness on the fourteenth day of November, 1903. He had attended a meeting of this Society two days previously, and had come to town the day before in his usual health. He had never remarried.

For the foregoing account the writer is almost wholly indebted to an autobiographical sketch in his possession.

MAY MEETING, 1904.

A STATED meeting was held on Thursday, the 12th instant, at three o'clock, P. M.; the President in the chair.

The record of the Annual Meeting was read and approved; and reports were received from the Corresponding Secretary and the Librarian, the latter of whom said:

In behalf of Mrs. Ellen Hinckley Waitt, of Yonkers, New York, but formerly of Dorchester, I wish to present a water-color painting of the British fleet which brought over the "Sam Adams" regiments, as it appeared in Boston Harbor, on October 1, 1768. The picture is still enclosed in the original frame, and its dimensions are about twenty-eight inches by nine inches. The water-mark of the paper is surmounted by a crown, and underneath are the letters "LVG"; and on the back is written, probably in a contemporary hand: "The property of Daniel Adams." It is dedicated to Thomas Vernon, and was painted by Christian Remick, an artist of some local repute in his day, who is known to have made several other similar copies of the picture, all somewhat larger than this one. The Essex Institute at Salem is the fortunate possessor of two, one copy dedicated to Jonathan Peal, and the other with an inscription beginning with the words "Magna Charta"; the New-England Historic Genealogical Society owns another, dedicated to Gibbens Sharp; and at the late Whitmore sale on November 11–14, 1902, a fourth copy, dedicated to John Hancock and once belonging to him, was bought by certain gentlemen connected with the Club of Odd Volumes, and has recently been engraved.

The copy now presented by Mrs. Waitt was given to her by Miss Jane Fettyplace, of East Boston, about the year 1870.

Christian Remick, the artist, was a native of Eastham, where he was born on April 8, 1726, and, like his father, was a sailor

and master mariner. The following advertisement taken from "The Boston-Gazette, and Country Journal," October 16, 1769, gives some interesting facts connected with his artistic work: —

Christian Remick, lately from *Spain*,

BEGS Leave to inform the Public, That he performs all sorts of Drawing in Water Colours, such as Sea Pieces, Perspective Views, Geographical Plans of Harbours, Sea-Coasts, &c. — Also, Colours Pictures to the Life, and Draws Coats of Arms at the most reasonable Rates. —— Specimens of his Performances, particularly an accurate View of the Blockade of Boston, with the landing the British Troops on the first of October 1768, may be seen at the Golden-Ball and the Bunch of Grapes Taverns, or at Mr. Thomas Bradford's, North-End, Boston.

The TREASURER said that since the last meeting he had received the amount of the bequests to the Society under the wills of John Langdon Sibley and of Charlotte A. L. Sibley. The amount to the credit of the John Langdon Sibley Fund, including one quarter part of the income since Mrs. Sibley's death, is $154,704.28; the balance of the income, $5,490.84, has been placed to the credit of Income of John L. Sibley Fund. The amount to the credit of the Charlotte A. L. Sibley Fund is $22,509.48.

Messrs. Edward J. Young, Alexander McKenzie, and Charles C. Smith were appointed a Committee to publish the Proceedings for the current year; and Messrs. Charles C. Smith, Winslow Warren, and Charles K. Bolton a Committee to publish a selection from the Heath Papers given to the Society by the late Amos A. Lawrence.

In answer to a call from the President, Rev. Dr. ALEXANDER MCKENZIE said:

I am happy to speak informally of my friend Professor Smyth, and the more because he was not well known to the gentlemen of the Society, while he was one of its worthiest members. His life was retired, and his work apart from the things with which most are concerned. He attended these meetings while he could, and made contributions to our proceedings. Yet if he was to a good degree a stranger here, he had a large acquaintance among men who during fifty

years had been his pupils at Brunswick and Andover, and in connection with the interests of the Congregational Church.

He was well born, — the son of William Smyth, for more than fifty years the Professor of Mathematics in Bowdoin College, where the son graduated in 1848. He was the oldest of eight children, another of whom, Dr. Newman Smyth of New Haven, is honorably known among scholars. The father was a man of strong character and of influence in his State, where he bore an active part in public affairs. After leaving college the son Egbert studied in the Bangor Theological Seminary and at Andover and at two separate periods in Germany. He was for two years the Professor of Rhetoric at Bowdoin, and for seven years he was there the Professor of Natural and Revealed Religion, with which the office of college preacher and pastor was connected. In 1863 he became Professor of Ecclesiastical History in the Seminary at Andover. From economy or for convenience he was also for a time the lecturer on Pastoral Theology, — the practical side of a pastor's life. The professorship he held until his death. The field of church history is large, and he chose as his special province the history of Christian doctrine. He had, of course, a framework of dates and names, of councils and decrees; but his closer interest was with the advance of thought and the course of the truth or truths involved in this. Here his learning was broad and profound and steadily increasing. His work was thoroughly done, with the utmost carefulness and sincerity. He was the true historian. He was an inspiring teacher for those who wished to know the things he taught and to be accurate in them; who had something of his delight in tracing the course of doctrinal thought. To those who would have been content with an outline, with a picturesque presentation of men and of notable occurrences, he was not interesting. They called for instruction which was more stirring, more readily received and repeated. His lectures were the work of a scholar for men who desired to be scholars. The number of these varied from year to year, but there were always those who could accept this substantial teaching, which honored his position and himself.

But Professor Smyth was best esteemed by those who best knew him. In manner he was reserved, apparently remote. His imagination was not evident, and his wit was not much

in exercise. His heart was strong and warm, his sympathies quick and earnest. He was a pleasant companion, whose conversation was of advantage, with its ample knowledge and its interest in the world and its concerns. If one were near him, it was easy to see how rich and generous his nature was. His home was like himself: simple, refined, kindly, hospitable. His wife was the daughter of one of the most eminent and elegant of the clergymen of Maine, the Rev. Dr. William T. Dwight. She was a woman fitted in all respects to be his associate in his life and work. She was, perhaps, quicker than he, with more spirit and ambition. But their thought and purpose were one. They had no children, but many friends and guests, and their guests became their friends.

His home was a retreat for him out of the storms of the world. It was a refuge, a sanctuary. The storms were not very widely spread; they did not sweep around the world and disturb its oceans. But they were serious to those who felt them, and he was at the centre of them, where their noise was heard and their full force was felt. The events in his life were not such as would be greatly cared for or long remembered in a gathering like this. They were of importance in his province. Where he was, where his influence was felt, he stood prominently and stoutly for liberty of thought and speech. He was never noisy, but he made himself heard. His study of history had taught him that good men think on different lines, and that every man is free born and should assert his freedom while respecting in others what he claims for himself. I cannot repeat the story of the contest in which he had a conspicuous part. It is not a simple matter to tell where it began. It was known on Andover hill that Professor Smyth was not in favor with his eminent colleague whose presence rarely, if ever, brightened these rooms, and whose name was not long ago taken from our rolls by a hand which we cannot resist. I do not remember, if I ever knew, why Professor Park did not altogether approve his younger neighbor. Their two chairs had been in some degree alienated before this time. Is there any incongruity between Theology and History? This is possible. Their methods and interests are not without differences. Sometimes the one, and sometimes the other, prevails. I fear that for the most part Theology and its adjuncts prevail against History. However that may

be, there was some measure of coldness between these two men. This would not have been worth mentioning if it had not happened that, upon Professor Park's resignation of his office, Dr. Smyth, of New Haven, was chosen by the Trustees as his successor. That anomalous body known as the Board of Visitors refused to confirm the election. A new question was then brought forward, and in Congregational circles, and beyond them, it assumed a large importance. Phrases were coined for its definition, such as "the new departure," "future probation," and the like. They have long been obsolete, but for months they had a semblance of life, and brought in confusion, and parted friends, and uttered dark prophecies. The question, briefly stated, was whether a man's life is always determined by the part of it which he spends in this world. There was said to be something of partiality and a lack of fairness if this is so, inasmuch as many have here the teaching of Christ and his ministry, while others have no knowledge of him or of his words, yet those from Christian and those from heathen lands go on to the same judgment. In view of this, it was suggested that beyond this world Christ could be made known to those who had not heard of him, and could thus have the benefit of his work of redemption. This was not clearly proved, but it was believed by many, and hoped by more. An enthusiast, with an erratic mind, ventured the thought that in an interval between a man's ceasing to breathe and the final act of death he might come under gracious influences which he had not before known. This led to one of Professor Smyth's rare bits of satire and humor, that this was a substitution for probation after death of probation after breath. I cannot pursue this subject. A great deal was said and written, apparently with little result. In all this Professor Smyth was conspicuous. He had his place in councils for settling ministers, where this question was sure to come up; and he was on the Committee of the American Board which was sending missionaries abroad. Should men and women be sent who were not sound on this article of the faith? The churches finally took the decision into their own hands, and the more liberal views carried the day. Very soon the charge was heard that, not on this point alone, but on others also, most of the Andover professors were not true to their obligations to the much misunderstood docu-

ment known as the Andover Creed. They had engaged to teach what it taught, and it was charged that they were not doing it. Not in their lectures only, but in their writings, and especially in a magazine which they published, called the "Andover Review," they were asserting or defending "the new departure." Complaint was made to the Visitors, and five professors were put upon trial. This was a serious affair, for it involved the interpretation of the creed. Some demanded a very close adherence to its terms as they were understood when it was written. Others claimed that it should be taken in what was known as the "historic sense," and for "substance of doctrine." Upon essentially the same evidence, with personal variations, four of the defendants were acquitted, and one, whose life we are reviewing, was condemned, and at once declared removed from his office. To this some men might have submitted. Professor Smyth was not of that temper. How often we find in a man of mild manners a belligerent spirit! He refused to be put out of his professorship in this fashion. The Trustees stood with him. The appeal went to the Supreme Court of the State, where hearing followed hearing for weary years, and with distinguished lawyers on both sides. Finally, by a divided vote, the court dismissed the cause, by reason of a technical irregularity, and to this day the case remains undecided, save as time has given the judgment from which no appeal is taken. It now ranks with antiquities. There were two results: the treasury of the institution lost more than thirty thousand dollars in legal expenses; but also the claim which Professor Park had asserted when he was himself the defendant was confirmed. He had asserted his right to do his own thinking, and this right is forever established upon those who have followed him. They are held to the creed so long as they serve under it, but they can read it for themselves. In all this prolonged discussion Professor Smyth kept his characteristic firmness and dignity. He was the scholar and the gentleman. He gave no signs of malice or ill-will. He believed that he was right, and he defended his position.

His last years were quiet and industrious. His students were few, but his teaching did not fail. He was unwilling that the Seminary should leave "the sacred hill" for Cambridge, and he was ready to work on to the end in the old

place. The death of his wife preceded his by a few weeks, and now the manly form which we knew lies in the field where so many illustrious men have found repose.

What more shall I say of him? He was conservative, for he was the historian, and he was at liberty; he was fond of the old, but honest towards the new, for he was the learner from old men and the teacher of young men. His life was, in the highest measure, spiritual; with "polemic sagacity" he had a generous and affectionate heart. It is the instance of another man who has done his work faithfully, spoken his word bravely, and added to the learning and the virtue of his time.

Messrs. EDWARD STANWOOD and MORTON DEXTER followed in a few remarks bearing testimony to the skill and fidelity of Dr. McKenzie's portraiture of his friend.

Mr. JOSIAH P. QUINCY communicated copies of eight letters from Miss Anna Cabot Lowell to Mrs. Anne Grant, and said:

I am going to give into the keeping of the Society this thin package of letters — or rather copies of letters — written by a lady who was one of the most esteemed figures in the social life of Boston during the first decade of the last century. I can almost persuade myself that I had the privilege of knowing Miss Anna Cabot Lowell, so vividly was her personality put before me from the recollections of those with whom my youth was in contact. She was the dearly beloved friend of my grandmother, who called one of her daughters by Miss Lowell's name.

The lady left this life some score of years before I entered it; yet I can easily understand how the occult forces of the subconscious mind might put a creative pressure upon incidents derived from others even to the point of presenting them as personal recollections. And this induces me to add an illustration to a paper upon the limits of reliable memory which I had the privilege of reading to the Society some three years ago. I refer to the striking instance of pseudo-memory given in the recently published biography of James Martineau — a man of unusual intellectual vigor and exceptional keenness of perception. Dr. Martineau had a distinct recollection of having heard Theodore Parker preach. In the language of his biographer, he was accustomed to declare that the occa-

sion had left a vivid impression upon his memory. It was with much difficulty that Dr. Martineau was at length convinced that he had been absent from Liverpool on the single Sunday that Mr. Parker preached there, and that his supposed memory was an image constructed from the descriptions of others. This seems to me to furnish a striking warning of the caution with which recollections — even those of persons of high intellectual competency and undoubted veracity — should be considered in the production of history. Memory, especially in persons of advanced years, may easily exchange its function of a recorder for that of a producer.

These letters of Miss Lowell were addressed to Mrs. Anne Grant, of Laggan, in Scotland. This lady came to America as a child in 1758 and passed ten years here. Her experience at length took the form of a book bearing the title "Memoirs of an American Lady" — the lady being Madame Schuyler. The property of her father, Mrs. Grant mentions, "was swallowed up in the gulf of the Revolution," and she has naturally neither kindly feeling for that break with the past nor belief that its outcome could be other than disadvantageous to the Society she so pleasantly depicts. Early in the last century Mrs. Grant published another book called "Letters from the Mountains," and this certain admiring ladies in Boston had reprinted by subscription. Miss Lowell representing the subscribers, wrote to Mrs. Grant enclosing a draft for £100 as the first profits of the volume; and so the correspondence began. A member of Miss Lowell's family, who subsequently met Mrs. Grant in Scotland, had these copies made from the originals in that lady's possession. They were given to my grandmother, Mrs. Quincy, as a memorial of her friend.

In a letter to Mrs. Hook, dated August 14, 1811, Mrs. Grant thus speaks of the death of her American correspondent: "I have lately received painful news from America. A light is there quenched which while it lasted spread intelligence and animation wherever its pure emanations reached. I speak of the admirable Miss Lowell whose prediction which I transcribed for you in one of my late letters, was fulfilled in November last. She was really like a dying lamp wasting in undiminished brightness, and cheering and enlightening all around her till the last drop of vital energy was exhausted."

Miss Lowell's letters seem to me worth preserving, though

it is not desirable to print them. The numerous collections of letters which it is now the fashion to thrust before the public often seem wanting in that unconscious exhibition of the fleeting moods of a personality which should give such compositions their peculiar interest. We doubt whether the conspicuous person was quite unaware that he was posing for posterity. In travelling I once came into friendly relations with a lady honorably known by reputation to all who are here. One evening she looked up from a letter she was writing and said to me: "I find it almost impossible to write naturally to a friend, for somewhere in the background of consciousness is the cynical question, 'How will this look in print after you are dead?'" No such disturbing interrogation was heard by the writer of these letters. A certain embellishment of fine writing, which they may seem to us to show, was then perfectly natural. Emotion called for more vigorous expression, as there were fewer channels into which it could be directed. The newspaper, which now scatters our sympathies about the world, provides no single spot upon which they can be concentrated. The standpoint of the unsentimental sociologist, which circumstances now force upon us, was quite impossible to the limited outlook of a lady in the old town of Boston. And so I leave these expressions of a sincere and lovely nature for the perusal of the few who may find them of interest.

Mr. Quincy supplemented his remarks by reading several extracts from Miss Lowell's letters, which attracted much interest, and a strong desire was expressed that the letters, or some parts of them, should be printed. The whole matter having been referred to the Committee for publishing the Proceedings, it has been thought best to print the first two letters and the last one in full, with extracts from four of the others. It may be added that Anna Cabot Lowell was the eldest child of Hon. John Lowell (H. U., 1760) by his first wife, Elizabeth Higginson, and was born in Newburyport March 30, 1768. She died in Boston December 18, 1810. Two of her brothers, John Lowell (H. U., 1786) and Charles Lowell, and two of her nephews, John Amory Lowell and James Russell Lowell, were members of the Historical Society, not to mention kindred of a later generation.

Boston, March 18th, 1809.

Had the author of "Letters from the Mountains"[1] only displayed in them the powers of her understanding, an humble individual of her own sex in a distant country would hardly have presumed to address her. But she has also made her readers acquainted with the virtues of her heart. Candour, sensibility, and benevolence are qualities which give assurance to the most timid. Encouraged by them I will venture to introduce myself to your notice; not to claim kindred with a superior mind, for that would be too aspiring, but simply as the amanuensis of a little circle who have entered into your joys and sorrows, who have followed you through the varied and picturesque scene of your native regions, reposed with you in the embosomed retreat of "green Laggan," wandered by the side of your favorite stream, entered the humble cottage, and taken to their bosoms your lovely children. They have wept with you at the dissolution of the dearest earthly ties, and feel ready to embrace those constant friends who appear still to cherish you. This is not a *common* interest, and the ladies who feel it are desirous to discover it by something more than profession. They are grateful to you for the respectable as well as interesting point of view in which you have placed the female character, grateful that you have taught the unbelieving to acknowledge that the possession and cultivation of the highest intellectual powers are not incompatible with the practice of domestic virtues and the performance of every-day duties. They are grateful too for the simple and elegant model of epistolary writing you have given to your own sex, and for the just sentiments and rational views of life impressed upon them by the eloquence of example rather than precept. Influenced by motives and feelings such as these, several ladies formed a plan of having an edition of the "Letters" printed here by subscription. They could not hope in a country not advanced enough for literary leisure, where hereditary wealth is never known, and is only acquired by commerce, where taste and refinement are usually found in retirement, and are often the only riches of their possessor, to dispose of a large number of books. Other circumstances, also conspired to make the present moment an unpropitious one for such an undertaking. The mistaken policy of the rulers of our once prosperous and happy country by suspending all commercial intercourse has produced a great deal of individual distress. Many industrious families are thrown upon the charity of the more opulent. Many who con-

[1] Mrs. Grant's "Letters from the Mountains" was first published in three volumes in 1806. It has since passed through numerous editions. A copy of the "First American from the Third London Edition" is in the library of the Historical Society. This is the edition which was printed under the direction of the ladies represented by Miss Lowell. — Eds.

sidered themselves independent are by the present state of affairs reduced to half their former income ; and of course less disposition is felt to encourage genius and reward merit. But though obliged to limit their wishes your friends would not relinquish their design. Unchilled by predictions of ill-success from those who frowned or laughed at a female project, they have obtained a subscription for more than 800 copies, the diffusion of which will, they believe, impart pleasure and instruction. While at the same time they hope you will reward the little exertion by accepting the small sum which will remain after the expenses of the publication. A bill for £100 stg. will accompany this letter. After all the expenses are paid, and the books disposed of, we hope to make another remittance of about half that sum. We send also by the same conveyance a set of the books as a specimen of the manner in which the work is executed. It is, however, not a fair one as it respects the binding, which would be done in a neater manner if the time permitted it. The books are not yet ready for delivery, but unwilling to lose an opportunity which may not soon occur again we have had this finished in a hurried manner. With the books you will receive a written list of subscribers. It is not compleat, as the lists have not been returned from New York or Philadelphia, — in those places, however, as the book was little or not at all known, little encouragement has been given it. In this town and its vicinity, where the personal influence of the ladies who undertook the work is great, it has received a liberal patronage. And perhaps it will gratify you to learn that almost every name is to be found in the very first rank of society in our country. Will it be presumptuous to ask in return from you not merely an acknowledgment that you have received our communication, but some little account of your present situation, of the objects and friends you have rendered so interesting to us. Have your children fulfilled the early promise they gave of excellence; do they still surround you and cheer the declining path of life? Tell us of your favorite friends; we almost feel that they are ours. Perhaps you also may wish to know something of those who feel so well acquainted with you. Had you visited New England during the last twenty years the name of Higginson alone would cause the train of virtues connected with it to pass in review before you. It is a name which, like that of Howard, though in a narrower sphere, serves all the purposes of eulogium. Perhaps no individual with the same power ever performed so many acts of benevolence as the husband[1] of the lady who is among your warmest friends. It might be enough to say of her, that she merits to share his fame as she does his happiness, but I cannot resist the inclination

[1] Stephen Higginson, Jr. He married, as his second wife, the lady here referred to, — Louisa Storrow. — EDS.

to add that in the beauty of her person, some traits of her character, and in some parts of her history, she seems to me to resemble your own lamented Charlotte. Her sister, Miss Storrow, whose excellence of understanding and warmth of heart would entitle her to your esteem, has also been active in aiding the little plan of the other ladies. I shall only say, that they are nearly connected with those already mentioned by ties of family or friendship. Any letters sent to the care of S. Williams, Esq., Finsbury Square, London, will probably reach us in safety. Direct, if you please, to Miss Anna C. Lowell, Boston, New Eng^d, and allow her to subscribe herself, with respect and friendship,

Yours, &c. A. C. L.

Boston, March 30th, 1809.

If a letter inclosing a bill of exchange for an £100 has been so fortunate as to reach the hands of Mrs Grant, she will already have been introduced to a circle of friends who love and admire her. The fear of becoming tedious or obtrusive by again repeating sentiments of which the heart is full, induces me to suppress much that offers itself to my pen. It is, however, necessary to say, that the delight imparted by your "Letters" has so much interested several ladies in this town that they have sought to diffuse the benefit by having an edition of them published here. In many respects the time was an unpropitious one; but zeal and affection can do much, and what susceptible mind can read the "Letters from the Mountains" without having both awakened? A subscription for more than eight hundred copies has been obtained in a little circle. My brother,[1] a young clergyman of this town who received part of his education in Scotland, and returned with an enthusiastic affection for it, received a copy of your work. He cheerfully gave it to us for publication here, and now covers these several letters to some of his respected friends in Edinburgh. You will, I hope, receive by another conveyance the first bill of exchange, with a set of the books and a letter more fully expressing the feelings and views of your American friends. Allow me to repeat in this letter the hope that you will honour us by a reply, and will make us acquainted with the situation of those beloved children and those constant friends in whom you have already given us so lively an interest. With respect and esteem, Yours, &c. A. C. L.

[1] Rev. Charles Lowell, youngest son of Judge Lowell by his third wife, Rebecca Russell, was settled over the West Church in Boston, Jan. 1, 1806. He was Recording Secretary of the Historical Society from 1818 to 1833, and Corresponding Secretary from 1833 to 1849. — Eds.

BOSTON, Nov^br 8th, 1809.

MY DEAR MADAM, — You will allow me thus to reciprocate your own kind salutation, and to feel while I write to you that I am no longer addressing a stranger. Your interesting recital of so many of the events of your chequered life has awakened a sympathy which, though wide the ocean that rolls between us, may assume the name of friendship. I have just received your letter of August 12th, with the brief but affecting history of the last few years of your life. . . .

I am led to make these remarks by comparing your interesting wish "that our kindred ties might become bonds of endearment" with some passages of your Memoirs of an "American Lady."[1] When I tell you that I have read that work with *unaffected*, though not with *unalloyed* pleasure, do not suspect that my heart glows not with that "love of country" which *you* say "hardly exists here." Yes, my respected friend, however, in a qualified sense, your observations may apply to many portions of our extended nation, believe the assurance, that in N. England many a patriot may be found who does not "prefer" his country merely "because its rivers are wide and deep," or "because he has forests to retire to if the god of gainful commerce should prove unpropitious on the shore." Still less, because "if his negro is disrespectful or disobedient he can *sell him*, and buy another," for in New England there is *no such thing* as slavery. A negro slave is an object I have never seen, except in other states and countries. The few *domestic* slaves (for we had no plantations that require their labour) that were held in this country received their liberty at the commencement of the revolution. And the *slave trade*, for the abolition of which some of the greatest and best men in Great Britain struggled so long in vain, has been prohibited under severe penalties by the laws of Massachusetts ever since it became an independent state. As this is a profitable branch of trade, and as the adventurous seamen of the North are the carriers of all other merchandize for their Southern brethren, does not this prohibition afford some presumption that the "love of gain" has not "swallowed up *every* better principle"? But to enter fully into the vindication of a people who so nearly resemble the nation from which they sprung that they may well claim *kindred* with it would exceed the limits of a letter and require an abler pen than mine. I will content myself with simply stating some of the causes of the pain and the pleasure with which I perused your last work. . . .

Your eloquent tribute to the memory of the great Hamilton must be read here with delight, for in no part of America was he more truly

[1] The first edition of Mrs. Grant's "Memoirs of an American Lady" was published in the latter part of 1808, and was reprinted in the United States in the following year. It has been often reprinted, both in England and in this country. — EDS.

estimated. That in war and in peace he was the friend and counsellor of the great and good Washington would alone be proof of his transcendent merit. It may give N. E[d] a higher place in your esteem to know that in it reside some of the most beloved friends and confidential advisers of Hamilton whose brilliant career threw a glory round his nation. In some of the circles most dear to me I have seen his eye beam intelligence, and heard from his lips a flow of eloquence rarely excelled. One of those who shared his confidence and lived in his heart, did not long survive him. I speak of M[r] Ames, who has been styled the Burke of America. Listening senates have hung in rapture on his accents, and when he delivered his last celebrated speech on the British treaty even his political enemies melted into tears. Should you say, it was like drawing "iron tears down Pluto's cheek," the allusion would not be inapplicable. I could add the names of Pickering, Cabot, and many other worthies who gave a lustre to the happy and dignified administration of Washington, whom could I make you personally acquainted with them would elevate your ideas of the New England character, of which Hamilton himself thought so highly, that at a public dinner not long before his death he gave as a toast: "The capital of Massachusetts. the *headquarters* of good principles." . . .

I have learned from M[r] Philip Schuyler, a son of Gen[l] Schuyler, who is married to a connection of ours, that most of your recollections of his family are correct. He said, an old friend of his observed you had made some mistakes in blending the Schuyler and Cuyler family. There is, however, one mistake which I have been requested to point out to you, because it touches very nearly the reputation of an *aged* and *amiable* man in this place. It is an anecdote of a M[rs] Wendell, whom you describe as having been *robbed* of her property by the connections of her husband. A gentleman of the first consequence here, a man possessing the principles and manners of the *Old School*, and who remembers the family of the Wendells gave me the following account. Col. Jacob Wendell, the head of the family, came early in life from Albany and entered into a flourishing mercantile house. He married a lady of this State whose name was Oliver. He was beloved and respected, became a member of the King's Council, and was singularly hospitable and benevolent. When he died he left a moderate fortune of 8 or £10,000 sterling to be divided among his family. He had two brothers who came hither some years after him from Albany, — one a cooper, the other a sailmaker. He assisted them in their business, and being himself engaged in foreign commerce was enabled to give them employment. They were of course in some measure *dependent* on him. They both struggled hard through life, and left *no property*, which was at that period rarely, if ever, acquired in a mechanic employment. The brother who was a cooper brought a wife with him, who may have

been the person you saw. She remained some years here after his death, and with her children received constant favours and attentions from her brother-in-law. The gentleman who related this (Jonathan Jackson, Esq.) remembers to have *seen her* at his father's house and at Col. Wendell's. She was called "*Dutch Aunt*," spoke bad English, and seemed to be a pious, good woman. She was treated with much kindness by the family. From these facts, which are remembered by many here, it seems impossible that she should have been defrauded of her property if she had any, and that too by a man so well known and so highly esteemed. The son of this Col. Wendell is the *old* gentleman I have mentioned, the Hon. Oliver Wendell. It is some evidence that *his family* could not have been considered as guilty of so great injustice by Mrs Schuyler that he has all his life been in the habit of going frequently to see his connections in Albany, and always visited the venerable friend of your early youth. He was delighted with your notice of her in your Letters and became in consequence of it a subscriber to that work. As another proof of the innocence of this family the friend who gave me this information added, that when travelling, quite a young man, into the State of New York, this son of Col. Wendell's gave him a letter to Madam Schuyler, by whom he (Mr Jackson) was graciously received on account of his friend. She invited him to visit her again. This was not long before her death. He describes her appearance and manners much as you have done, and was particularly impressed with her dignity and the influence she appeared to have on those around her. An example of which he saw and related. As there has been no other family of the name of Wendell in this place, and as this was connected with the Schuylers by marriage, it is not obvious *how* the *mistake* arose. Yet it seems highly probable there *must* have been one.[1] . . .

If your time is too precious, will you not put a pen into the hands of one of your daughters, and allow them to continue a correspondence so valuable to us? Perhaps the vicissitudes of life may at some future time lead them to this part of the world; in such case they would not find themselves in a *land of strangers*. Many hearts will spring to meet them, and many hands offer them a friendly greeting. But the hand and heart of *one* who would do it most warmly will ere then be cold. Complaints of the lungs, slow often in their progress, but ever fatal in their termination, will, I know not how soon, call me from this world of shadows to one of bright realities. This hope is founded not in presumptuous self-dependence, but on the mercies of a gracious God

[1] The discreditable story on which Miss Lowell animadverts continues to be reprinted in the "Memoirs of an American Lady," without note or comment, and it seems proper that her rectification of it should be put on permanent record here. — EDS.

and the merits of a compassionate Saviour. Once more, however, perhaps more than once, I may hear from you in this world. In another we are not forbidden to hope that what has been commenced on earth may be perfected. Engaged in the same sublime service we may learn to know and love one another; for may not a portion of heavenly felicity consist in finding new springs of knowledge and new objects of affection? But should my intercourse with you in this way soon terminate, there are others who will long cherish your remembrance, and who are worthy of your friendship.[1] In my first letter I mentioned to you Mrs Higginson and her sister Miss Storrow, as having united with me in the plan of publishing your Letters as models of epistolary style and lessons of life for our sex. The unbounded yet well-directed benevolence of S. Higginson, Junr, has occasioned him to be called the American Man of Ross.

> "Him portioned maids, apprenticed orphans, bless,
> The young who labour, and the old who rest."

Mrs. H. is young and beautiful; her fine understanding and benevolent heart are engaged in aiding her husband in all his plans for the happiness of others. In these employments and in the duties of a wife and mother she finds sufficient occupation without entering often in those scenes of gaiety and splendor which their rank in society and ample fortune would enable her to enjoy. Her sister, united to a fine and highly cultivated understanding, has an exquisite sensibility of heart. Her ardent and feeling mind was warmly interested in your affecting history, and she feels as if she must be allowed to know and love you better.

Another of your warm admirers is Mrs Quincy.[2] This lady is a native of N. York, but marrying a gentleman of this place, she has been for some time the ornament of our circle. Her husband is one of that band of real patriots who are now defending the cause of good government in our National Legislature. Though branded with the name of "British partisan," he continues to support with firmness what he believes to be [for the] best interest of his country. Mrs. Quincy is one

[1] In a letter to Mrs. Hook, dated April 23, 1810, Mrs. Grant copied the part of this letter beginning, "Perhaps the vicissitudes of life," and ending at this point, adding, "Thus far this angel mind, which seems already on the wing to a more congenial region. Dear and beloved friend, what can I add that you could read with interest after this?" And in a letter to the same correspondent, in August, 1811, occur the sentences quoted by Mr. Quincy in his remarks (see Memoir and Correspondence of Mrs. Grant of Laggan, vol. i. pp. 236, 237; 282, 283). — Eds.

[2] Wife of the Hon. Josiah Quincy, afterward President of Harvard College. In the privately printed Memoir of Mrs. Eliza S. M. Quincy are numerous references to Miss Lowell; and in a letter to his wife, dated Washington, Dec. 23, 1810, a few days after Miss Lowell's death (p. 143), Mr. Quincy characterizes her as "the most excellent and justly beloved of all your friends." — Eds.

of my dearest friends; her understanding is my guide, and her virtues my model. I have sometimes imagined that in manners and character she resembled *you*. She is educating her children much as you would approve. Would the limits of a letter permit I could introduce you to several others not undeserving your notice. Should you pass the winter in Edinburgh [you] may probably meet with some young men who will be able to give some information of those friends here who will never cease to cherish a remembrance of you. It is now quite customary for such young men as can afford it to receive a part of their education in your country. There is at present a young gentleman by the name of Lincoln, who is pursuing medical studies. I am not personally acquainted with him, but he is well known to many of my friends. His family are respectable, and I have been assured his character is amiable and correct. There is also a very young man who has been a year or two in Edinburgh, and has I suppose become quite Scotsman by this time. He is son to a lady of handsome fortune and most amiable character. She is a widow, and though elegant, and not even yet old, has since the death of her husband devoted herself to the education of her children and the exercises of piety and charity. The young man's name is Codman.[1] I believe he resides with a clergyman named Dickson. . . .

Boston, Dec^{br} 25th, 1809.

. . . I mentioned in a former letter two young men from this place who, I believe, are not unworthy of your notice should you meet with them, Mr Lincoln and Mr Codman. In Edinburgh you may also meet with some friends of my brother. He loves Scotland so much that I think he must have been beloved there, and perhaps I may say, not undeservedly so. Though only 27 years of age he has one of the largest congregations in our city, and is universally beloved by them. There is a family by the name of Cambell with whom he was intimate. Some of them are now in India. They were near relations to Col. Cambell of the Guards who was killed in the unfortunate expedition to Holland a number of years ago. Some of the young ladies loved him as a brother and have continued to correspond with him. With Professor Stewart and Dr Hunter and several other gentlemen he has also corresponded, but the arduous duties of his parish, and the new duties of a husband and father, I might add *nurse*, for he is very domestic, occupy him so much that he exercises his pen but little except in a professional way. . . .

[1] Presumably George, eldest son of Mrs. Catharine Amory Codman, second wife and widow of the Hon. John Codman; at the time this letter was written the young man was in his nineteenth year. — Eds.

Perhaps it will give to your benevolent heart a degree of satisfaction to know that you have cheered so many hours of a poor invalid. My physician, who is also a beloved friend, declares that the interest I have taken in you for a year past has done more to keep me alive than all his prescriptions. It is certain that any thing which serves to give a new spring to the affections of a warm heart has a happy effect upon the health, and I have never yet suffered sickness to depress that enthusiasm which you happily say, is the "*fan* of a warm climate, and the *fur* of a cold one." At any rate, as long as this heart continues warm, you and the friends around you will dwell in it with undiminished regard. . . .

Boston, June 19th, 1810.

. . . My second brother,[1] with his wife and children and a sister of Mrs Lowell's are about to embark for Europe. Various motives induce them to travel at this time. The health of Mrs Lowell, which has been for some time delicate, the hope of giving to their children some advantages of education superior to those in our own country, and the pleasure and improvement they anticipate from seeing other countries, have all their influence. Their reasonable expectations I hope will not be disappointed. They are sober, rational people, accustomed to domestic life, possessed of competence but without either the wish or the power to move in the dazzling sphere of fashion. They seek for themselves useful information and the society of the good and agreeable when they can be obtained with propriety, and for their children such attainments as will make them useful and happy in life, fit them for honorable professions, and enable them to mingle in the best society. On this subject, my dear Mrs Grant, you may perhaps be useful to my brother and sister. You will be able to advise them of the best schools for their sons, as you have one of nearly the same age for whom your maternal solicitude has been excited. And should you permit Mrs Lowell to consult you respecting her daughter, I am sure your excellent judgment would be to her an invaluable treasure. You will find Mrs Lowell so lovely in her character, you will discover in her so much good sense, so much delicacy of sentiment, so much sweetness of temper and purity of heart, that when you have penetrated the veil which humility and modesty may draw over her excellencies in the presence of a stranger, I am sure you will become interested in giving her your aid in forming a plan for her children while she resides among you. These friends will not be willing to encroach on your

[1] Francis Cabot Lowell, son of Judge Lowell by his second wife, Susanna Cabot. He was with his brother-in-law, Patrick T. Jackson, one of the founders of the cotton manufacture in Massachusetts; and the eldest of his three sons, John Lowell, Jr., was the founder of the Lowell Institute. — Eds.

time; nor will they require any attentions which will not be perfectly convenient for you to pay. The pleasure of sometimes conversing with you during half an hour of leisure, should your residence be near them, they would highly estimate. . . .

BOSTON, July 23d, 1810.

. . . The laws of our country divide estates equally, so that property becomes by division very moderate among a large family. And most families among us are large. Genius therefore has no patrons. We have no order of men who have fortune and leisure to cultivate and encourage talents. All must push their own way to fortune, and those who feel the celestial fire glowing within them are more likely where the popular form of government leaves the very first offices open to ambition, where every man who feels that he has superior talents feels that he may become President of the United States. They become politicians rather than poets. Some of our great men are occupied with ambitious views; the Muses may long sleep in classic groves for them. Others, genuine patriots, beholding the incessant dangers of democracy, are obliged to employ all their talents to save the important institutions of law and freedom from popular fury. In this incessant struggle you see there is no room for genius to unfold its fairest blossoms. You justly say, "These will not bear either the rude breath of civil discord or the fierce blaze of despotism." There is one species of genius to which these observations do not apply, and for which our country, considering its youth, holds a high rank among the nations. I mean, Painting; it has for a long time been distinguished for giving birth to painters, who having in this country no masters, and no models but the great sublime of nature, are self-taught. Some of these now hold a high rank in Europe. West, the President of the Royal Academy, was born and educated in our country. Copley, whose portraits and historical pieces are admitted into the first cabinets in England, did not leave this town till he was in middle life. Trumbull, whose paintings have received the highest praise, whose "Sortie of Gibraltar" alone would give him fame, is brother to the late Governor of Connecticut; he is not only a painter but a gentleman and a scholar, but he has unfortunately a wife who keeps him in the shade. We have also here now one of the first portrait painters living, Stewart.[1] He was many years in England and celebrated there. We have also a young man [2] who bids fair to surpass them all; his genius is wonderful; he is a poet as well as a painter, but the pencil is his first and cherished love. Of course the other talent is less cultivated. He

[1] Gilbert Stuart. — EDS.

[2] Washington Allston. — EDS.

has visited England, France and Italy to improve himself. He returned to fulfil an engagement of the heart, but as we have few or no purchasers for such pictures as his he will soon go to England, where I hope the sunshine of patronage may await his labours. Few young men deserve it more. His manners are polished; his mind improved and elevated, his morals pure; he has none of the failings of genius but that which Miss Smith had, *habitual reserve*;[1] his too are *hoarded treasures*. Does not this production of great painters prove that genius may spring up in our soil? although circumstances may prevent the growth of some sorts of it. . . .

Boston, August 10th, 1810.

Dear Madam, — The inclosed letters have for several days waited for a safe conveyance to your hands. Such is now presented. Some of our most esteemed friends are now about to embark for your country, and I commit my letters to their care, assured that they will see them safely forwarded, even if they should be prevented from visiting Edinburgh, which is very probable. Mr and Mrs Higginson, the elder, are going to reside for some time in London. Mr H. is an uncle of mine and father to the gentleman of the same name whom I have already mentioned to you. Mr H. is a man of independent fortune, sound sense, and correct principles, truly respectable in all the relations of life. He goes to England partly in the hope that a change of climate for some time will retard the approaching infirmities of declining life, and partly to renew those early associations which are so pleasant, having been there in his youth. Still more powerfully is he drawn by having at present two sons fixed in London, one of whom he has not seen for many years, whom he parted with when he was a boy and went to receive part of his education in France, and whom he will now embrace as a man. This is so interesting a circumstance that although he expects to land at Greenock, he may possibly with Mrs H. go immediately to London without visiting Edinburgh. My letters

[1] The reference is probably to Miss Elizabeth Smith, the eminent orientalist. In a letter to Miss Douglas, of New York, under date of Aug. 15, 1827, Mrs. Grant writes of her, as "the celebrated Elizabeth Smith, a creature of the highest attainments, the soundest and most extensive knowledge, and the most devoted and purest piety of any female in our times. She was beautiful, excelled in all female accomplishments, and dressed with as much taste and neatness as if she could do nothing else. Human imperfection there must be; hers was extreme reserve. If not her looks, her soul was like Milton's Penseroso — 'communing with the skies'; yet she was not melancholy, but merely above the earth while in it. She died of consumption about twenty years ago." (Memoir and Correspondence of Mrs. Grant of Laggan, vol. iii. p. 98.) See also Dictionary of National Biography, vol. liii. pp. 32, 33. — Eds.

will, I hope, be put into your hands by a friend [1] whom I highly esteem, and whose merit, I hope, will entitle him to the most unequivocal recommendation to your favour. Of this, however, he will not be able to avail himself, as his present tour is one of business. I regret that you will not become acquainted with this gentleman whose best qualities do not develop themselves at first. Possessed of a fine understanding, a correct and polished taste, a heart tender and generous, and a most peculiar urbanity of temper, he has also added the most liberal education this country can bestow, and has finished the cultivation of his mind and taste by two visits to Europe before this, when he resided some time in Italy, France, and England. He has looked upon all those countries with an enlightened eye, and has not like some travellers brought home weeds instead of flowers, tinsel rather than gold. He has been in very good society abroad, and in the very best at home. Perhaps, you would rarely meet with one who could depict more faithfully or more pleasingly all that is worth delineation of nature or of art in all those various climes. He will be, however, only a bird of passage through your city, but has said it would gratify him to be able personally to deliver this letter, and to pass half an hour in the society of one who is so much the object of esteem and affection in the little circle of which when at home he makes a part. This friend of mine was appointed to deliver an address before a literary society connected with our University at an approaching anniversary. He had prepared his composition, which it will not now be in his power to deliver, and yesterday was good enough to read it for my amusement. The subject is a comparative view of the literature of G. Britain, France, and Italy, and some thoughts upon the state of it in our own country. In treating of this last part of his subject he has very handsomely answered your question, — "Why our country has as yet made so few steps towards literary eminence." I just touched upon it in my letter in answer to you, but felt too sick to pursue the subject. Although this essay will not have the advantage of being delivered by the author, with an impressive eloquence which I am told he possesses when speaking in public, yet it [will] probably be printed, and I shall then have the pleasure to send you one, believing you will not find it unworthy of your approbation, and hoping it will supply some of the deficiencies of my own letter which I longed to be able to render more worthy of your perusal. See how you seduce me into prattling. I designed only to have mentioned our friends to you in a cover, and have

[1] William Tudor, Jr., founder and first editor of the North American Review, and author of "The Life of James Otis." (For a notice of him, with a portrait, see Proceedings, vol. i. pp. 429–433.) His place as orator before the Φ B K Society was taken in 1810 by William Allen; in 1815 he gave the oration, taking as his subject "The Aborigines." — EDS.

insensibly filled a sheet. My heart always leads me to be diffuse when in the presence of those I love. This effect is one which *you* have often experienced. I rely therefore confidently on your indulgence. When thus ideally present with you I say more than perhaps the occasion demands. I will now only add that I am, with undiminished sentiments of esteem and affection, your grateful friend.

ANNA C. LOWELL.

Mr. FRANKLIN B. SANBORN communicated from the archives of the Society a letter from Captain Nathaniel Folsom, descriptive of the fighting near Lake George, September 8, 1755, and said: —

In presenting to the Society in February a sketch of the life of President Langdon of Harvard College, I made allusion to an important letter of General Folsom, of Exeter, New Hampshire (to give him his latest title), written to Dr. Langdon in 1756, and giving the details of a desperate fight in the woods near Lake George, in the year preceding, of which no exact account has ever got into print, so far as I know. As the letter remains in the archives of this Society, it seemed desirable to publish it for the information of future historians, and also because of its own racy style, and the illustration which it gives, both of the jealousies entertained by the soldiers of one Province toward those of another, and of the spirit with which the New Hampshire soldiers habitually engaged in battle, in whatever war they might chance to take part. Vaughan at the siege of Louisbourg, Folsom and Stark and Rogers fighting Indians in the forest, Stark at Bunker Hill and Bennington, Sullivan at Trenton, Cilley at Saratoga, Scammell at Yorktown, Miller at Lundy's Lane, and the New Hampshire colonels generally in the Civil War, seem to have been animated by a common sentiment, — a strong wish to get at the enemy and never to retreat. In this particular skirmish Captain Folsom and his men had very little knowledge of how many or where their foemen were, but supposed their business was to go at them and drive them from the field. They fought exactly as the poet suggests, —

> A battle whose full aim and scope
> They little cared to know;
> Content — true men at arms — to cope
> Each with his fronting foe.

The death of the New York captain, McGennis, from his wounds seems to have prevented him from reporting his part of the fight; and perhaps the wound of Sir William Johnson may have made him unfit to receive Captain Folsom's report, which he therefore rendered in full, six months after, to his neighbor, Parson Langdon of Portsmouth. I fancy that the latter went to Exeter to exchange with Parson Rogers; was entertained at dinner by Captain Folsom, not averse to fight his battles o'er again; heard the story by word of mouth, as Dr. Belknap afterwards did, and persuaded Folsom to write it out for use in future sermons. Here it is:

Exeter, March 27th, 1756.

Revd Sir: As you desired me to give you a short narative of the skirmish lately had near Lake George, I have now to inform you that, on the 8th of Septr, 1755, being at Fort Edward, Coll Blanchard order'd me to detach a small scout upon discoveries, which I imediately did under the command of my lieutt, Jeremiah Gilman. Who marched up between Hudson's river & the waggon road that leads to Lake George about two miles and a half, where they discoverd one Adams lying by the waggon road, dead & scalp'd, & several waggons almost burnt up. Upon which discovery they return'd & made report.

Coll Blanchard imediately rallied his forces & sent me out with the command of fifty men; with orders to bring in the dead man (Adams) & to make what discoveries I could; whereupon we marchd to the spot & found Adams & found also eleven waggons almost consumed. I imediately sent a party of twenty men under the command of Lieut Abbot to scout two miles up towards the lake, whilst I, with the remainder, scouted round about the place where the enemy had made such destruction. And finding bread & meat & many other things scattered about where our enemies had camped the night before, & the waggon road being full of moguson tracks, we suppos'd there was a great number of French & Indians near us.

Upon which we tho't it most adviseable to return as soon as we could & make report; but while we were tying up the dead man in order to carry him into the fort we heard the discharge of a great gun at the lake & soon after the continual report of others. I call'd together our officers to advise whether we should go to the assistance of our friends at the lake whom we suppos'd to be engaged in battle; upon which officers & souldiers unanimously manifested their willingness to go. At that instant I was told there was more men coming, who were presently with us. They were a company of the York regiment, who, when detachd at Fort Edward, were commanded by Capt McGennes.

I told him our army was attack'd at the lake, that we had determined to go to their assistance & ask'd him to go with us. Upon which he answer'd that his orders were to come to that spot, make what discoveries he could, return & make report. I told him that was my orders, but that this being an extraordinary case I was not afraid of being blamed by our superr officers for helping our friends in distress. Whereupon he turn'd & order'd his company to march back again. I then told our officers that as our number was so small — but, as it were, a handfull — I tho't it most adviseable to return to the fort and add to our number & then proceed to the lake. We march'd, soon overtook the Yorkers & ran by them a little distance, where we met near fifty of our own regiment running towards us. I ask'd, "What tidings?" They said they tho't we had been engag'd & that Col^{l} Blanchard had sent them to our assistance.

Whereupon we imediately concluded to go to the lake; but not having orders therefor, as before hinted, I despatch'd Lieu^{t} Emery with some few men with orders to go to the fort and to acquaint Col^{l} Blanchard with what we had discover'd and of our design to go to the lake. Meanwhile Capt McGennes march'd forward. We followed for about two miles but as I tho't they marched too slow & kept out no advance guards (by means of which we might be enclos'd in the ambushments of the Canadeans) I propos'd to our New Hampshire men to go by them. But one of our officers told me he tho't it not best to go before the Yorkers for that he was more afraid of them than of the enemy. Upon which I sent Capt McGennis's lieu^{t} forward to tell him to march faster or else to stop & let us go by them. But, he making no return, I sent one of our men forward to tell him the same errand & also to set out advance guards for fear of ambushments. He return'd me an answer that all I required of him he would do. We march'd on till we came within half a mile of the place wher we began the battle; when Capt McGennes & company started nine Indians, who run up the waggon road from us, upon which Capt McGennes & comp^{y} stopt. I, seeing them halt (being on a plain), orderd our men to move forward & pass by them. As soon as I came up with McGennes, I ask'd the reason of his stopping which he told was the starting of the Indians. I then mov'd forward & we ran about eighty rods & discoverd a Frenchman running from us on the left. Some of us chas'd him about a gunshot, fired at him, but, fearing ambushments, we turnd into the waggon road again & traveld a few rods, when we discoverd a number of French and Indians about two or three gunshots from us, who run from us.

Then we made a loud huzza & followd them up a rising ground and then met a large body of French & Indians, on whom we discharg'd our guns briskly till we had exchang'd shots about four or five times.

When I was call'd upon to bring up the Yorkers, (whom I thought had been up with us before) but finding them two or three gunshots back, I order'd them up to our assistance. And tho' but a small number of them came up, we still continued the engagement and soon caught a French lieu^t^ & an Indian, who inform'd us that we had engaged upward of eight hundred & knowing the smallness of our number (being in all but one hundred & forty-three men), we fix'd ourselves to fight in the best manner we could do; & seing our enemies continually recruited by fresh hands, not only in their front but on both our wings, gave every one of us (that could fight) occasion to exercise and exert ourselves. After being closely engaged for about three quarters of an hour, they kill'd two of our men & wounded several more on our left wing, where they had gain'd a great advantage of us.

Which, with our being very much tired and fatigued, occasioned us to retreat a little way back; but finding that by our retreat we were likely to give the enemy a greater advantage we rallied again in order to recover the ground we had lost, and thinking that if we quitted the ground we should loose our greatest advantage, about fifteen or twenty of us ran up the hill at all hazard. Which we had no sooner done but the enemy fired upon us vigorously; & then, seeing us coming upon them (we being charg'd & they discharg'd), they run & gave us the ground. Whereupon we all shouted with one voice and were not a little encouraged. In this skirmish Ensign Jonathan Folsom was shot through the shoulder & several others wounded. At every second or third discharge during the engagement we made huzzas as loud as we could but not to be compar'd to the yells of our enemies, which seem'd to be rather the yellings of devils than of men.

A little before sunsetting I was told that a party of the Yorkers were going to leave us, which surpris'd me. I look'd & saw them in the waggon road with packs on their backs. I went to them & asked where they were going. They said to Fort Edward. I told them they would sacrifice their own lives & ours too. They answer'd they would not stay there to be kill'd by the damn'd Indians after dark but would go off by daylight. Capt Moore and Lieu^t^ Abbot & myself try'd to perswade them to tarry, but to no purpose till I told them that the minit they attempted to march from us I would order our New Hamp^e^ men to discharge upon them. Soon after which they throw'd off their packs & we went to our posts again. Upon my return to my tree, where I had fought before, I found a neat's tongue (as I tho't) and a French loaf, which, happening in so good a season, I gave myself time to eat of; & seeing my lieu^t^ at a little distance, much tired & beat out, I told him if he would venture to come to me, I would give something to comfort him. He came to me & told me I was eating a horse's tongue. I told him it was so good I tho't he had never eat anything

better in his life. I presently saw some Yorkers handing about a cagg of brandy, which I took part of & distributed amongst the men. Which reviv'd us all to that degree that I imagin'd we fought better than ever we did before.

Between sunsett and the shutting in of daylight we call'd to our enemies; told them we had a thousand come to our assistance; that we should now have them imediately in our hands; and thereupon made a great shouting & beat our drums. Upon which they drew off upon the left wing, but stood it on the front & right wing till daylight was in & then retreated & run off. Then we begun to get things ready to march to the lake, when Providence sent us three waggon horses upon which we carry'd in six wounded men; made a bier & carry'd one on, lead some & carry'd some on our backs. We found six of our men kill'd & mortally wounded so that they dyed in a few days, and fourteen others wounded & shot through their cloaths, hatts, &c. With much difficulty we perswaded the Yorkers to go with us to the lake. In about an hour after the battle was over we march'd & sent two men forward to discover who were inhabitants at the lake. Who met us and told us all was well. Whereupon we march'd into the camp & told the army what we had done. As soon as they understood by us that we had drove the enemy off & made a clear passage for the English between forts, the whole army shouted for joy, like the shouting of a great host. We carry'd our wounded to Doctor Putnam's tent, where by him they were tenderly drest. Meantime I took a pilot to pilot me to Gen[l] Johnson's tent; but, being much tired & fatigued, I was obliged to turn in to Coll[l] Guttridge's tent for refreshment, where they told me the gen[l] was wounded; & it being past midnight, they adviz'd me to tarry till the morning, which I did, and then waited on the gen[l] & told him where we came from, the occasion of our coming, what we had done & that we were destitute of all comfortable things, (having left our coats, blankets, &c., at Fort Edward,) and ask'd leave to return again to Fort Edward. The gen[l] kindly told me that such as the camp afforded we should have but no liberty to return till the next Wednesday. But on Tuesday morning the Mohocks (having heard over night that we had left a great quantity of packs, plunder, &c., upon the spot where we fought,) started very early to go & get it. Which we imagining when we saw them run off, made our English blood boil, seing we could not have liberty to go ourselves. However, we were obliged to be easy with a promise of having our parts (which we never got to this day). In about three hours afterwards the Mohocks return'd with as much plunder as they could carry on their backs.

On Wednesday we march'd to Fort Edward with orders for Coll[l] Blanchard to march his regiment on Thursday to Lake George. We got to the fort a little after sunsett with the joyful news of Lake

George being in possession of King George; and were receiv'd as joyfully as tho' we had arisen from the dead. On Thursday we march'd with the rest of our regiment from Fort Edward to Lake George, where we arived a little after sunsett & joyn'd the army. In this fight which began about four of the clock afternoon and ended with the daylight, it was generally thought we kill'd & mortally wounded upward of an hundred Frenchmen and Indians.

Thus, sir, I have given you a narative, as my memory furnishes me, of most of the facts (worthy your notice) in the aforesaid engagement. In perusing of which, if you receive any satisfaction it will compleatly recompence me for the trouble and pains taken therein by

Your most hble servt

NATHANIEL FOLSOM.

To the Revd Mr LANGDON,
In Portsmouth.

It is odd that this account of the final fight with Baron Dieskau's attacking army, — the most detailed one ever written, I suppose, — though in existence nearly a century and a half, has never been used by any historian who has described that eventful 8th of September. Dr. Belknap, in his History of New Hampshire, though he gives the general facts correctly, from "Folsom's information" as his footnote says, had apparently never seen this naïve account, with all the detail of Herodotus portraying a Greek skirmish. Sir William Johnson, the chief commander of the army, gave both the hour of the fight and the number engaged incorrectly. Other historians have erred more. The commander of the scouting party that fought so gallant a battle, the third engagement on that day, was not William McGennis, captain of a Schenectady company under Johnson, as most of the historians say; but was Nathaniel Folsom, captain of an Exeter company in Colonel Joseph Blanchard's New Hampshire regiment, who was afterwards a Revolutionary general and a member of the first Continental Congress. He was Exeter-born (in 1727) and died at his native town in 1790. He raised the company he commanded; his own son was the clerk, and three other Folsoms were in it, one of them his ensign. Three Gilmans and two Sanborns were also in it.

To explain the topographic situation, I may say that General Phineas Lyman (in command of the New England forces, under Sir William Johnson, and in chief command after the wounding of Johnson in the second engagement) had cut

a wagon-road from Fort Edward, where Colonel Blanchard with the New Hampshire troops was in garrison, to Lake George, thirteen miles distant, where General Johnson established his camp, without fortifications, and without knowing through scouts where the French and Canadians were. He even sent his men, under the unfortunate Colonel Williams, into an ambush of Indians; just as Braddock's army was surprised the year before. Williams was slain, the Colonists fell back, and the fight was renewed at the camp itself, which Johnson had rudely fortified just before Dieskau made his attack. Both sides fought well, and both generals were wounded, — Johnson once and slightly, Dieskau repeatedly, and almost to death. In the early afternoon the French were repulsed and fell back, not pursued by Johnson, whose caution then was as great as his rashness had been in the morning. What he had feared on the 7th of September, from a report of his Mohawk scouts, was an attack upon Colonel Blanchard at Fort Edward; he had sent two expresses the evening of the 7th, to bid him retire to his fort and await an attack. The erroneous account in Mr. Robert O. Bascom's recent book entitled "Fort Edward" calls that camp "Fort Lyman" in honor of the general who had built it. Bascom says: —

"Sunday evening, September 7, 1755, some Indian scouts informed Gen. Johnson that the enemy had marched from South Bay towards Fort Lyman. There was only 250 of the New Hampshire troops there, with five New York companies. A wagoner named Adams volunteered to ride to Ft. Lyman with the news, and to carry General Johnson's orders to Col. Blanchard to retire within the fort. An hour after, two Indians and two soldiers set out on the same errand; by midnight, they returned and said they saw the French about four miles from Ft. Lyman. They heard the report of a gun, and a man cry out, and thought it was Adams."

So far all is substantially correct. Relying perhaps on General Johnson's report, the error now begins. Bascom says: —

"About 8 o'clock on the evening of the 8th, 120 men from New Hampshire and 90 from New York, set out from Ft. Lyman to reinforce Gen. Johnson. This party was under the command of Captain McGuinnes. A severe engagement ensued, the French being finally driven from the field. McGuinnes, being an Indian officer, lost his life."

Captain Folsom shows that the movement of his forces occupied nearly the whole day; that he, and not McGennis, was in command, and that the fight was over by eight in the evening. Mr. Bascom had never seen or heard of this letter. A more exact account, mistaken at some points, is that printed in Boston, September 29, three weeks after the fight, apparently based on information sent by Dr. Thomas Williams, a surgeon in the army, and reading thus in relating this affair: —

"The General on the 7th despatched two expresses that evening to Col. Blanchard. Mr. Adams, the first express, was killed by the enemy in going to the fort, and Gen. Johnson's letter, sent by him to Col. Blanchard, was found in the French aide-de Camp's pocket, the next day. . . . The third engagement was occasioned thus: — Col. Blanchard detached to the assistance of his friends between two and three hundred men: mostly from our state, and some New Yorkers, under the command of Capt. M'Ginnis. Between four and five o'clock they reached the place where Col. Williams had been attacked in the morning, and there they found about 1500 of the enemy, chiefly Indians, who had fled from the former battle, and were come hither to refresh themselves, scalp our dead, take their packs, and get off. Our men fell upon them with the greatest fury, made prisoners of some, killed a great many, and entirely routed them; driving them off the ground, and recovering more of their packs than they could carry with them to the Camp. This engagement was begun near the place where the French had encamped the night before, and where they had left their baggage. Accordingly, being thus driven off, our people the next day brought in four or five wagon-loads of ammunition, provisions, blankets, etc. . . . Their flight was so hasty, and so much in a fright, that as they fled they dropt their blankets, bread, and even some of the scalps of our men. We lost but few men in this fight. Gen. Johnson says two were killed, eleven wounded and five missing. Among the wounded is Capt. McGinnis, who behaved with prudence and valor. He is since dead of his wounds. The account we have received is that we slew near 100 of them."

With this account before him the reader can better understand Captain Folsom's story, with its curious details of a fight in the forest, where each man took to his tree, and had time between shootings to lunch on horse's tongue and a sip of brandy, with which the "Yorkers" seem to have been better supplied than the Hampshire men. This little force of Folsom's had no knowledge of the defeat of the morning or the

victory of the afternoon. They only knew that their friends were in battle and needed help and they were determined to go to their aid. No doubt the death of McGennis from his wounds prevented him from reporting his share in the fight, which seems to have been more satisfactory than that of his men from Schenectady, a detachment of whom needed the threat of Folsom to fire upon them, to keep them in the contest after dark. The anger of New Hampshire soldiers, not permitted to get a share of the French plunder till the second day after their victory, is significant. General Johnson in detaining them probably wished to gather in the ammunition and supplies for the use of the whole army; his Mohawks were allowed to plunder a little in recompense for having lost their chief "King Hendrick" in the first encounter. When Dr. Langdon was President of Harvard, twenty years later, he records in the books of the College that "the Indian Cap and Moggisons of Hendrick" who was killed in the battle at Lake George, had just been received as a gift to the College, where possibly they are still preserved.

Mr. ALBERT B. HART communicated a number of unpublished historical documents, which had been in his possession for about two years, coming to him through the Committee on Documents which made an attempt to collect fugitive materials for history for the Society's archives. They are as follows: a letter from Alpha Thorpe, dated Austinburg, October 5, 1812, to Lieut. David Belden, Southfield, Berkshire, Mass., giving an account of the state of affairs at the West after the surrender of Detroit; an orderly book kept during the Revolution beginning at Morristown May 25, 1780, and ending at Peekskill August 1; a translation made by Francis Sales, in 1802, of a great mass of official documents relating to the detention on the west coast of South America of the American brig "Mars," of Nantucket, suspected by the Spanish authorities of illicit trading; copy of an unsigned letter from Edward Everett, dated Charlestown, Jan. 4, 1836, believed to have been written to Caleb Cushing, at that time a member of Congress from Massachusetts, with reference to the Presidential election of that year; and the copy of a letter marked private from Daniel Webster to Thomas B. Curtis, of Boston, dated March 12, 1843, relating to the mis-

sion to China, afterward given to Mr. Cushing, in which Mr. Webster writes: "I regard the English mission, or any other mission, as subordinate to the situation which I now hold. If I were to remain in the public service, I should prefer to remain where I am. The only reluctance I had in recommending Mr. Everett was the difficulty I felt in filling his place in London. For myself, nothing could induce me to go abroad, at my age and without fortune, but a much clearer prospect of accomplishing great good than I am now able to see. My expectation is, truly, to be very shortly in the midst of the circles of private life."

Dr. SAMUEL A. GREEN read the following paper: —

The Historical Library has among its manuscripts the records of "a Society for compiling a Magazine in the town of Boston," of which the membership was limited to a number not less than seven, nor more than twenty-one persons. At the start the association consisted of twelve members, and their first meeting was held on November 25, 1783, when officers were duly chosen. Of these twelve original members six at a later period became members of the Historical Society; and from time to time new members were chosen, generally after a nomination at the preceding meeting. In this way seven names were added to the original list of twelve; and of the total number of nineteen members eight afterward belonged to the Historical Society, namely: — John Eliot, James Freeman, George R. Minot, Aaron Dexter, John Clarke, John Bradford, Benjamin Lincoln, and Christopher Gore. Of the ten original members of the Historical Society, three were original members of the Society for compiling a Magazine, namely: — Messrs. Eliot, Freeman, and Minot.

These men were all persons of historical tastes and instincts, as is shown by the fact that one of the objects of the Magazine Society was to publish a Gazetteer of Massachusetts, giving a sketch of every town in the Commonwealth.

The main object of the organization was to publish a periodical, which afterward became known as "The Boston Magazine." This publication was issued by "Norman & White at their office in Marshall's Lane, near the Boston Stone"; and the first regular number appeared in November,

1783, though there had been an earlier one in October, which the publishers in their Preface requested should "not be ranked among the numbers of the Boston Magazine: And shall take the liberty of calling the Magazine for November, the first number." In their Preface to this October issue the publishers add: — "We may say, with a degree of certainty, (as we are promised the assistance of a number of gentlemen of genius and education) that the following Numbers will excel this." This allusion is to the Society now under consideration. The record book runs from November 25, 1783, to May 13, 1785, though there are memoranda elsewhere which show that meetings were held as late as the following November. Ordinarily the Society met once a fortnight, though sometimes at longer or shorter intervals according to circumstances. At these meetings the various papers offered for publication in the Magazine were considered, when judgment was passed upon them.

It is an interesting fact to note that among the earliest publications of the Historical Society there is printed an account of the celebration of the tercentenary of the Discovery of America, when an address was delivered by Dr. Belknap, on October 23, 1792; and in the first volume of "The Boston Magazine" (pp. 280–285) there is an essay by Dr. Belknap, on the subject "Has the discovery of America been useful or hurtful to mankind?" The copy of the bound Magazine given to the Library, on April 9, 1791, by the Rev. Dr. James Freeman, has in his own handwriting at the end of some of the articles the names of the respective authors; and the essay in question is signed "R. J. Belknap" (Rev. Jeremy Belknap). This circumstance, though trifling in itself, shows what was running in the author's mind at that early period of his literary life, and to what subjects he was then paying attention.

Another coincidence in the publication of the Magazine is the fact that for a while it was the organ of a body of men whose writings appeared first in its pages; and later, the same fact may be noted in connection with the earlier articles by members of the Historical Society, which appeared first in "The American Apollo." It shows, too, how in two instances during the latter part of the eighteenth century the papers of literary societies appeared in periodical publications; and,

furthermore, the two magazines continued for a while after the Societies respectively withdrew their support.

An interesting feature of "The Boston Magazine" was the printing of a "Geographical Gazetteer of Massachusetts," which came out as a serial number at the end of certain issues. Usually it consisted of eight pages, but in one instance of sixteen pages. In this supplement an account of twenty-one towns in Suffolk County is given, comprising the whole of the County as then constituted, besides an unfinished description of Charlestown in Middlesex County. Beginning with the number for October, 1784, and ending with that for November of the next year, ninety-six pages were thus printed, though the last page is numbered ninety-eight by mistake.

These separate issues were carefully collected by Dr. Freeman, and together with a manuscript completion of the sketch of Charlestown and a titlepage, both by himself, were bound, and given by him to this Library among its earliest accessions. At the end of some of the articles he has added the authorship, as follows: Boston, Dr. John Warren, Colonel Dawes, Rev. John Clarke, and Rev. James Freeman; Chelsea, Rev. Phillips Payson; Dorchester, Rev. Moses Everett; Weymouth, Dr. Cotton Tufts; Hingham, General Lincoln; Hull, General Lincoln; Walpole, Major Seth Bullard; and Charlestown, Dr. Josiah Bartlett. Naturally sets of the Gazetteer are now extremely rare, and the number of copies in existence could be counted, probably, on the fingers of one hand.

I have described in some detail this "Society for compiling a Magazine," as in a certain sense it was the parent or forerunner of the Historical Society. A considerable portion of its membership at a later period became founders or early members of this Society; and it is evident that in their work they were animated by the true spirit of historical inquiry. Another line of parallelism between the two is the fact that both bodies started with a limited membership. In the "Proposals" issued by the publishers of the Magazine, it is said that "Several gentlemen have engaged to arrange the materials which shall be sent them," — evidently referring to the members of the "Society for compiling a Magazine"; and the publishers also set forth the need and importance of full descriptions of the various towns in the Commonwealth and in the District of Maine.

In the earlier volumes of the Historical Collections similar descriptions of towns are given; and Ebenezer Pemberton, who wrote an historical account of Boston which appears in Volume III., refers to the sketch printed in the Geographical Gazetteer as a supplement to "The Boston Magazine," and evidently used it in the preparation of his own paper. These several circumstances all go to show that there was a certain continuity of tradition in the minds of men who at that period were cultivating a taste for historical research, and who also had a desire to interest the public in their work. A connection between the Society and the Magazine was kept up for nearly two years, when, on October 28, 1785, the Society voted to withdraw entirely from the publication; and then the union was dissolved.

The publishers of the first three numbers (November, 1783, to January, 1784), were Norman & White, but in February the firm name was changed to Norman, White & Freeman, and under this style they continued as publishers for the next five numbers (February to June inclusive); and in July, 1784, they were followed by Greenleaf & Freeman, when Norman's name drops out of the firm. The volume is fully illustrated with copperplate engravings, made by Norman, who had been one of the publishers. In the number of "The Boston Gazette, and the Country Journal," February 14, 1785, appear two advertisements, one by the publishers and the other by the engraver, in which there is much recrimination in regard to their former business relations. At that period John Norman was a well-known engraver who did creditable work in his special line, as shown by various illustrated books. He was the publisher of the first Boston Directory, printed in the year 1789, though his own name does not appear in the body of the work; but it is given in the Directory for 1796, which was the second issue of that publication.

In Number V. of "An Impartial History of the War between Great Britain and the United States" (Boston, 1782), facing page 257, is a "Plan of the Town of Boston," which was engraved and signed by Norman. Substantially the same map appears in the October number (1784) of "The Boston Magazine," with some slight changes, though not signed; and it also appears in the Boston Directory for 1789, with other variations, again not signed. The engraver, prob-

ably, was a son of John and Martha (Shaw) Norman, but little is known concerning his early life. It may be worthy of note that these three engraved maps by him are all based on Captain John Bonner's Map of Boston, published in 1722. Even William Price's Map, as published in 1739, 1743, and 1769, was struck from the same plate as Bonner's, though there were many changes in order to make it conform to the new dates respectively.

The "New-England Palladium & Commercial Advertiser" (Boston), Tuesday, June 10, 1817, has the following notice of his death: —

> On Sunday evening [June 8], Mr. John Norman, aged 62 [69]— Funeral this afternoon, at 4 o'clock, from his house, Cross-street, friends and relatives are requested to attend without a further invitation.

In the several "Death" notices, as given by the Boston newspapers, there is a disagreement in regard to his age, some of them saying that he was sixty-nine years old at the time, and others that he was sixty-two years, but the records in the City Registrar's office show that his age was then sixty-nine. He died of "slow fever," and was buried in Copp's-Hill Burying Ground. The given name of his widow was Alice.

The PRESIDENT said: —

At our February meeting reference was made to the congressional status at that time of the Memorial recently presented by the Council in the matter of the frigate Constitution.[1] The session has now closed, and it is with no small degree of regret I have to report that our effort proved futile. No provision of the nature of that asked for was made. I can, however, with confidence assert that this result was not due to lack of interest, or failure persistently to press the matter upon the favorable notice of those in authority at Washington in whose hands the decision rested. Indeed no stone was left unturned. The miscarriage seems to have been due to Mr. Foss, Chairman of the House Naval Committee. Of New England descent, having been born in

[1] *Ante*, pp. 189–192. See also 2 Proceedings, vol. xi. pp. 198–200, 210, 211; vol. xv. p. 493; and *ante*, pp. 60, 118–123.

Berkshire, Franklin County, Vermont, in 1863, Mr. Foss is a graduate of Harvard College in the Class of 1885. Subsequently receiving degrees from the Columbia Law School, and School of Political Science, in New York, since 1889 he has been in the practice of law in Chicago; and, in 1894, was elected a member of the Fifty-fourth Congress. The present, or Fifty-eighth, is therefore the fifth successive Congress in which he has held a seat; and he now represents the Tenth Illinois District, mainly composed of the northernmost wards of Chicago. An influential member throughout his congressional service, Mr. Foss has been actively interested in naval affairs, and a leading factor in the recent reorganization of the service, and the substitution of ironclads for earlier vessels.

The movement for the rehabilitation of the Constitution failed in its final stage, and on the threshold of success. As the result of numerous interviews and prolonged correspondence, the aid of all the persons whose co-operation was necessary, or deemed important, had been secured with the single exception — a very important one, as it proved — of Mr. Foss. The President and Secretary Moody were greatly interested; as also were our two associates, Senators Hoar and Lodge. Ex-Governor John D. Long, fresh from the Navy Department, not only wrote to the individual members of the Naval Committee and the Conference Committee on the part of the House, but, chancing to pass through Washington, saw certain of them personally. He also put the representatives of the Society in communication with Frank W. Hackett, who had been, with a single intermediate, Assistant Secretary of the Navy in succession to Mr., now President, Roosevelt. Mr. Hackett felt an eager sentimental interest in the Constitution, and at once expressed himself as ready to do anything in his power for her preservation. Our associate Edward Everett Hale also was on the ground, as Chaplain of the Senate, and equally interested. Towards the end of February Secretary Moody chanced to be in Boston, and did me the favor to call upon me in relation to the matter. The members of the Senate Naval Committee who were later upon the Conference Committee had been strong and outspoken in their advocacy. Through their efforts an item was inserted in the Naval Appropriation Bill, when before the Senate for consideration, providing $400,000 for the reconstruction of the

Constitution. It passed without objection. So much was secured. The item had been made part of the bill; it only remained to keep it there.

There seemed good reason to hope that it could be kept there. The President favored it; the past and the present Secretaries of the Navy united in favoring it; the Senate Committee favored it, and the Senate had adopted it. Our associate Senator Lodge exerted himself, as naturally he would, personally calling on the House Conferees. Moreover the Chicago Historical Society took the matter up, adopting the following memorial in aid, besides through its officials personally corresponding with Mr. Foss: —

TO THE SENATORS AND REPRESENTATIVES FROM ILLINOIS:

The members of the CHICAGO HISTORICAL SOCIETY hereby strongly indorse the movement for the preservation of the U. S. frigate CONSTITUTION now lying at the Navy Yard at Charlestown, Massachusetts, — a war vessel around which cluster many memories of the early days of the Republic — the vessel which, by its destruction of the British war ship "Guerrière," gave to the War of 1812 its first victory, and encouraged the Nation to renewed and ultimately successful efforts, after the early and discouraging events of the war.

The Society urges that the Members of Congress from Illinois favor the appropriation added by the Senate to the Naval Appropriation Bill for the repair or rebuilding of the famous Frigate, that it may be an object lesson, showing what in 1812 was considered a well-equipped vessel of war, thus illustrating the marvellous progress which steam and steel have wrought in naval architecture in a single century. The frigate CONSTITUTION, so long as she is afloat, will serve to recall a naval victory which, small in itself when won, was the foundation of the maritime power of the Nation.

FRANKLIN H. HEAD, *Acting President.*
JOSEPH T. BOWEN,
WILLIAM A. FULLER,
CHARLES F. GUNTHER,
S. H. KERFOOT, JR.,
GEORGE MERRYWEATHER,
OTTO L. SCHMIDT,
Members of the Executive Committee.

Under these circumstances, I confess to having indulged to the last moment in a hope that the Senate appropriation would be accepted by the Conference Committee. I was mis-

taken. Mr. Foss proved obdurate; and the Senate conferees, it would seem, yielded to him. From the bill as finally reported from conference, the item on behalf of the Constitution had been stricken out.

In the course he thus took Mr. Foss was unquestionably actuated by motives wholly creditable in a way. In a time of unexampled extravagance and waste he insisted on what was undeniably a measure of economy. The item was stricken from the bill on the express ground that such an expenditure was not a proper use to be made of public money. In other words, in the traditions of a reconstructed navy there was no place for sentiment, — no recollection of past service rendered, or glories won. It was a case of money's worth; and sentiment and gratitude have no money value.

With that conclusion not only this Society, but all the many thousands interested in the preservation of the fighting frigate of 1812, must, for the present in any event, rest satisfied. It is not incumbent upon us, nor would it be proper, to venture criticism; although certainly there were appropriations of the last Congress more open to objection than that to restore the Constitution. This fact, however, it would be useless as well as unbecoming to emphasize by illustration. Fortunately a hope may still be entertained that some succeeding Congress will take a view more in consonance with what the members of this Society confidently believe is, as Mr. Foss expressed it in a letter on the subject, "the will of the people" in this matter.

Informal remarks were made during the meeting by Rev. Drs. EDMUND F. SLAFTER and EDWARD E. HALE and by Mr. JOHN NOBLE.

A new serial of the Proceedings containing the records of the February, March, and April meetings was ready for distribution.

JUNE MEETING, 1904.

THE stated meeting was held on Thursday, the 9th instant, at half-past twelve o'clock, P. M.; the President in the chair.

The record of the May meeting was read and approved, and the regular monthly reports were presented.

Professor Adolf Harnack, of Berlin, was elected an Honorary Member; and Mr. Charles H. Dalton, of Boston, was elected a Resident Member.

Voted, That the stated meetings for July, August, and September be omitted, the President and Corresponding Secretary to have power to call a special meeting if necessary.

Rev. Dr. EDWARD E. HALE said: —

The Society would be interested in knowing what effort had been made in Washington for the preservation of the frigate "Constitution." He was sorry to say that nothing definite had been done. It was impossible for him to say what had passed in committee rooms, but his impression was that the enthusiasm of the Committees had to be quickened by our Massachusetts Representatives. The Society's Memorial was presented by Senator Hoar on the 29th of January, 1904. It was printed in the Congressional Record for that day.

On the 16th day of March Mr. McNary, the member of the House for the Northern Boston District, introduced a bill which provides for the preservation of the "Constitution" at Castle Island as a museum. This was referred to the Committee on Naval Affairs. But they made no report on this subject in the session, which was an unusually short one.

The Navy Department was not very favorable to our wish. It was stated there that the restoration of the "Constitution" would require virtually the building of a new ship. And it is a sad thing to say that with the advance of the century it costs a great deal more to build a wooden ship than it cost when the "Constitution" was built and launched at Hart's Wharf.

The naval gentlemen however supposed that for a less sum

she could be put into such repair as would keep her afloat in the harbor of Boston. The suggestion was made to the Committee to appropriate a sufficient sum in the Naval Appropriation Bill for that purpose.

It is but justice to the classical attainments of the House and Senate and of the Navy Department to say that everybody seemed to remember Plato's celebrated remark regarding the preservation of the *Idea* of the "Minotaur," although every bolt and even every splinter of the original vessel were gone. One of our admirals told Dr. Hale that when he himself was a midshipman one of the jests of the young gentlemen at Annapolis was the annual dance around a particular bolt which tradition said was in the ship the day she fought "La Guerrière." But it was suggested in the Navy that at the present moment there is neither chip nor bolt remaining in the vessel which witnessed the celebrated battle.

Dr. Hale congratulated the Society, and all persons interested in American history, on what might almost be called the creation of a Manuscript Department in the Congressional Library. He read some passages from letters of Mr. Putnam, and from our associate Mr. Worthington Ford on the progress which has been made, especially in the department of American History.

From times almost traditional each department at Washington has kept the custody of its own papers. Sometimes, when an officer was retained in a department for fifty years, he lived into a feeling that the documents were his own and that no one else could examine them. More often, perhaps, in the frequent changes of administration, nobody really knew what was among the papers, or indeed where they were. A certain convenient superstition existed, which led the junior clerks to say that they believed this or that document was destroyed "when the British burned Washington." Dr. Hale expressed his belief that no important documents in either department were destroyed at that time. Other gentlemen present confirmed this impression.

One of our members who is not able to be present gave to Dr. Hale the following memoranda which state precisely the advantages of the present new arrangement of these national documents: —

We, who know the value of manuscripts, have been obliged again and again to recognize the utter hopelessness of awakening in an officially constituted mind any enthusiasm on the subject. The Departments are full of the richest material buried beyond the reach of the public, merely because some nine-hundred-dollar clerk has been in charge for half a century and has come to look upon them as private property. We now have a Librarian who knows that this material is good historical material, that it belongs to the public and should be open to the public, and is willing to make an effort and even sacrifices to secure supplementary material from private collections. One who has worked under him cannot but feel this influence for good, and something ought to be said of it in any account of the manuscript materials of the Library as they now are, and as they are sure to be in the near future, — the one great mine of history to be worked by the increasing number of serious students of history.

The memoranda from Washington show that since 1900, when the new arrangements of Mr. Putnam began, the collections have been large in number and important in character. The Letter-books of Robert Morris, Superintendent of Finance in the Revolution, were purchased in 1901. They comprise his Diary, the Letter-books of the Department of Finance from 1781 to 1784, and his private Letter-books from 1784 to 1798. The entire collection comprises fifteen folio volumes, and contains transcripts of more than eight thousand letters. One of the members of this Society contributed to the collections of the Library a famous manuscript, being no less than a Columbus Codex, or a transcript of the documents and agreements on which Columbus made his fourth voyage to America.

In the next year, 1902, were obtained the papers of Salmon Portland Chase, a collection well known to the members of this Society. The more valuable of these papers have since been published by the American Historical Society, and certainly constitute a positive addition to the history of the late Civil War. The Barry and Porter naval papers were supplemented, in 1903, by the papers of Commodore Edward Preble in twelve volumes. It has been stated that a number of the Preble papers are in the collections of this Society, but

a recent inquiry brings the information that they cannot be found.

The year 1903 was of sufficient moment in the experience of the Manuscripts Division to warrant extended notice. It was marked by a notable gift by the members of the family of Montgomery Blair, comprising the collection of papers and manuscripts, official and personal, of Andrew Jackson, — a collection that is especially rich on the military history of the Middle West during the Indian incursions, the War of 1812 and the subsequent events which led up to the Seminole campaign, — a campaign which threatened to be the unmaking of Jackson and yet, in the end, proved a very strong plea for making him President. In its later features the collection is very full on such matters as the differences in Jackson's Cabinet over social troubles, and the Removal of the Deposits. It also pictures Jackson in retirement, when he played so effectively the part of the political seer, resorted to by all who harbored political ambitions, for endorsement, or a word of warning and advice. The collection is a very large one, and has yet to be carefully studied to develop its historical wealth, covering a period of interest in national administration during which partisan feeling ran so high that it is still a question whether Jackson's influence and action was, on the whole, wholesome or otherwise.

A large collection of Daniel Webster's papers was obtained by purchase, being those which were selected by the biographer of Webster, and therefore representing a very choice collection. A third series of collections came by the transfer of certain historical collections from the Department of State. These collections have long been known to historical students, and were obtained at various times by purchase, or deposit in the Department of State because there was no other place quite so suitable for their preservation. A mere list of the collections will show their worth, for there are included the papers of Washington, Jefferson, Madison, Monroe, Hamilton, and Franklin; but, chief of all, the papers of the Continental Congress. The President's strong interest in historical matters induced him to issue an executive order transferring these documents after consultation with the officials of the Department of State. It seemed to be generally recognized that the Library of Congress should be the keeper of such collections,

where the historical interest is so much greater than any administrative features which might attach to the papers. A foundation is thus laid for making the Library what it should be, the great centre of historical research and the great depository of historical manuscripts.

In the last year the collections have grown with almost accelerated pace. The papers of Martin Van Buren came by gift, as did those of Chancellor Kent. The papers of James K. Polk were purchased, as were those of John M. Clayton. A little consideration will thus show how strong the collections of the Library of Congress are in certain directions. For the military and civil history of the Revolution no other records can begin to compare with them in important documents; for they begin with the petition to the king and "the association" entered into by the Continental Congress of 1774, and carry the record through the doings of the subsequent Congresses, the campaign of Washington, the period of the Confederation, and the formation and acceptance of the Constitution. Of what might be called the Virginia régime, the collection is unrivalled; for it includes the papers of Washington, Jefferson, Madison, and Monroe, the four Presidents given to the country by Virginia, the mother of Presidents. A break is then made covering the administration of John Quincy Adams, but the story is again taken up by the papers of the inheritors of the Virginia doctrines, Jackson, Van Buren, and Polk.

I have named only the larger collections. There are many smaller collections of high interest in themselves and supplementing those I have specifically named. There is hardly a period of American history on which something cannot be found that is essential to its comprehension. One reason for this rapid growth of the Manuscript collection is to be found in the notable precautions taken for the preservation of the papers. A large gallery of the Library has been specially equipped with glass cases and steel safes, which are under watch by night as well as by day. The treatment given to manuscripts is also peculiar. It involves the repair of every injury of the past and every precaution against injury in the future. Paper that is so rotten as to fall to pieces at the touch is covered with fine cloths which make it stronger than the original paper could be. Every hole is filled, and the requirements of each document are specially studied so as to

place it beyond danger of injury. When they are thus repaired they are mounted on linen hinges and substantially bound, after which they are made accessible to the public. A visit to the Manuscripts Division is an object lesson in the handling of manuscript material; for no other institution devotes so much time and expense to such matters.

To illustrate the broad principles recognized in the conduct of the Library of Congress I may mention an incident which has not become generally known. In the Library was a manuscript containing the only known record of the conventions held in the first years of the Revolution in the territory which afterwards became the State of Vermont. This record had been transcribed, perhaps for his personal use, by the clerk of the convention, Dr. Jonas Fay, and was retained by him among his private effects. The book in which the transcription was made was used by him as a record of his medical fees during his lifetime, and after his death continued in the family to be used for various purposes, such as a scrap book, and a record of farm accounts. It is very well known by all investigators that through carelessness or worse faults many of the records properly State and local have passed into private collections. There is hardly a State which has not suffered by loss and depredation, and frequently records that are vital to the understanding of local history have become located in places where they are as good as buried, and in fact the very memory of their existence has passed away. The convention records of Vermont were so essential to the history of Vermont that although this particular manuscript had never been State property or in the keeping of any officer of the State, the authorities of the Library believed that it should properly be located in Vermont rather than in the Library of Congress. On the suggestion of the State authorities a resolution making the transfer passed both houses of Congress, and the transfer was made. Of course there are limits to such policy. The liberal policy thus indicated by the Library of Congress might well be imitated by other institutions, and we may look forward to the time when the investigator may be reasonably certain to find in a particular place the manuscript material which properly belongs there. So much more attention is now paid to the preservation of such material, and the historical value is so much better appreciated now than it was

even a generation ago that we cannot do better than to gather up what remains and place it in a position where it will be most accessible to students and most useful in the performance of functions which belong to manuscript material.

It will be well if in the future the policy can be accepted which shall make the Library of Congress the keeper of the manuscript archives of the government, so far as their interest is mainly historical. Such is the present policy as initiated so fortunately by Dr. Putnam.

In Dr. Putnam's reports for 1901 at page 335, for 1902 at pages 24 and 71, for 1903 at pages 18 and 77, are given very valuable details of the accessions made in these years.

It ought to be said that all the regular publications of library reports are very valuable to all students of history.

Rev. Dr. JAMES DE NORMANDIE read a paper entitled "Some Notes from an Old Parish Record Book," as follows: —

The early ministers of the plantations hereabout, as the first settlements were called, regarded themselves as self-appointed chroniclers of whatever took place in their far-reaching but sparsely inhabited parishes. If a house was burned or struck by lightning, or a great storm came, or any portent in the heavens, or an accident befell a settler, or an epidemic appeared, or a heresy arose, or a ship arrived or departed; if there was an exceptional season, — as once it is said "not a flake of snow fell this winter," — if there was an abundant harvest or a threatened famine, the minister made a note of it in the parish records, and frequently he was the only one to preserve it.

The toils and privations of establishing these new homes, of building the initials of a nation, mark almost every page; but there are notes, too, of the wonderful provision which the forests and the waters had for the new-comers, of which a writer in 1639 says: —

"Lobsters be plenty of 20 lb weight."

"A wild Turkey-Cock is 4 s and weighs 40 lbs — he that is a good husband & will be stirring betimes may take half a dozen in a morning."

"Bass 4 foot long, some bigger, some lesser — a man may catch a dozen or twenty of these in three hours of the tide."

"Pigeons by millions joining nest to nest, and tree to tree — so that the sun never sees the ground."

The minister picks up interesting local knowledge as he goes on his daily round of visits — for the future historian.

There was a special reason, in the theology of the day, for the minister to make these records; for the Puritan clergy saw God in all things, as did the Hebrew of old, — everything that was favorable to him was a providence, and everything that hindered him was a judgment. The Puritan's conception of the church was another reason for many of the records he made. The church was a company of Christians under the government of God. Each congregation was to mark the separation of the faithful from the sinners; it consisted of believers, of visible saints, and its object was to maintain a high standard of purity and holiness among its members. Each congregation was a unit, to determine its own rules of faith and life. "The Kingdom of God," said the Puritan Robert Browne, "was not to be begun by whole parishes, but rather of the worthiest, were they never so few."

When the Independent divines put forth their "Declaration," its preface says: —

> "From the first, every, or at least the generality of our churches, have been in a manner like so many ships (though holding forth the same general colours) lancht singly and sailing apart and alone in the Vast Ocean of these tumultuating times, and exposed to every wind of Doctrine, under no other conduct than the Word and the Spirit, and their particular Elders and principal Brethren, without association among ourselves, or so much as holding out common lights to others, whereby to know where we are."

No church, or union of churches, had any right or power to interfere with the faith or discipline of any other church; so it had to be a jealous custodian of the conduct of its own members. There was no disposition to gloss over the faults of any one, man or woman, who having once taken hold of the covenant had fallen from grace; so the minister was quite ready to put down in black and white, to all generations, so long as the record could be read, the spiritual estimates of his flock as well as the outward providences and judgments of God.

Among all these early books no one is more interesting than that of the Apostle Eliot, — no one better preserved, more complete, or more constantly sought after for examination.

But we keep it carefully sealed and hidden from the antiquarian or historian; for while I have great faith in human nature, there are individuals who cannot be implicitly trusted, and many a man or woman, well connected and well descended, finds the sense of honor grow weak when an opportunity comes to cut out slyly the autograph of the Apostle Eliot, or one of the Dudleys, or Warren's, or of some ancestor busy and prominent in the task of founding this new world.

These records are so interesting because the man is the most interesting figure in the early history of New England. There is a flavor of godliness about them because the man was full of it. Whenever any marked event happened, he would say, "Brethren, let us turn all this into a prayer." In homes where he was a familiar and welcome guest he would say, "Come, let us not have a visit without prayer; let us pray down the blessing of heaven on your family before we go." He was not afraid to warn his people of any appearance of worldliness. Finding a merchant in his store with some books of business on his table and some books of devotion on a shelf, he said, "Sir, here is earth on the table and heaven on the shelf; pray, don't sit so much at the table as altogether to forget the shelf; let not earth by any means thrust heaven out of your mind." Mather says he heard him utter these words from that scripture "Our conversation is in heaven": "In the morning if we ask where am I to be to-day, our souls must answer 'in heaven.' In the evening if we ask where have I been to-day, our souls may answer 'in heaven.' If thou art a believer, thou art no stranger to heaven while thou livest, and when thou diest heaven will be no stranger to thee, no, for thou hast been there a thousand times before."

Then his interest in education never faltered, so that he labored and prayed for a good school in every plantation. When all the neighboring churches were gathered in Boston to consider how the miscarriages which were increasing might be prevented, Eliot exclaimed with great fervor: "Lord, that our schools may flourish; that before we die we may be so happy as to see a good school encouraged in every plantation in this country." "God so blessed his endeavors," says Mather, "that Roxbury could not live quietly without a free school in the town, and the issue of it has been one thing, which has made one almost put the title of schola illustris upon that little

nursery, that is, that Roxbury has afforded more scholars first for the College, and then for the public than any town of its bigness or, if I mistake not, of twice its bigness in all New England. From the spring of the school at Roxbury there have run a large number of the streams which have made glad this whole city of God." It was the grammar school after its prototype of Eton and Rugby.

Then came his enthusiastic, increasing efforts among the Indians, which alone were enough for the work of a long busy life, and which put him at the very head of all those who have labored in this cause, simply because he believed that the Indian was the child of God and to him the gospel should be preached.

The Records of the Apostle Eliot begin with a receipt for making ink. He wanted what he had to say about his parishioners to stand the test of time; and after two hundred and fifty years these are clearer and brighter than most of our writings after twenty-five or fifty years. The agreement about our old Latin School in August, 1645, is black, shining, glistening, beautifully written on parchment with here and there some fine German capitals.

You read between these lines no formal piety; only the deep, joyous, uninterrupted, bubbling-over life of the spirit. What tender yearnings of the godly man over his flock come out in such expressions as these: —

"When six young men did all publickly & by their owne consent and desire, take hold on the covenant waiting for more grace."

"Old Mother Roote, who lived not only till past use, but till more tedious than a child."

"The wife of William Webb. She followed baking, & through her covetuous mind she made light weight, after many admonitions, flatly denying that after she had weighed her dough she never rimmed off bits from each loaf, which yet four witnesses testified to be a common if not a practis, for all which grosse sins she was excommunicated. But afterwards she was reconciled to the church, & lived Christianly & dyed comfortably."

"Bro. Griggs, who lay in a long affliction of sickness, & shined like gold in it."

"Sister Ruggles — She was a meek & godly Christian, much lamented by her neighbors; but her very disorders were sanctified, & so she finished."

"The Church take notice of six who humbled themselves by public confession in the church; & we have cause to hope that the full proceedings of discipline will doe more good than theire sin hath done hurt."

"There was Mrs. Barker whom we found not so well acquainted with her own heart, & the ways & workings of God's spirit in converting a sinner unto God — & yet full of sweet affection, & we feared a little too confident, we received her not without feares & jealousies."

"Mr. George Alcock — he lived in a good & godly sort, & left a good savor behind him."

"Valentine Prentice — he lived a godly life, & dyed leaving a good savor of godlyness behind him."

"The wife of Wm Talmadge. She was a grave matron and a godly woman — she dyed & left a gracious savor behind her."

"William Hills — he removed to Hartford in Conecticott, where he lived several years without giving such good satisfaction to the consciences of the saints."

"Two brothers Edward & George Dennison, who had been proved incendiarys of some troubles among us, & full of distemper & disaffection; the Lord left them to open & shameful drunkenness at Boston; especially Edward, which did so greatly humble them both that though George (being a member) was excommunicated, yet in a short time was taken in again. And Edward humbling himselfe so effectually that he also was speedyly received into the Church — this is the triumph of grace, to magnify Grace by sinne."

"1677 Month 2, about the 10th Boston was much endangered by a chimney going on fire in a very windy day — but the Lord did succeed the indeavors of men so that it was quenched. About the middle of this month a blazing star appeared in the East."

"This day we restored our primitive practise for the training up our youth. First, our male youth, in fitting season, stay every sabbath after the evening service in the Public meeting house, where the Elders will examine their remembrance yt day, & any fit poynt of catechise. Secondly yt our female youth should meet in one place, where the Elders may examine them of theire remembrance yesterday, & about catechise, or what else may be convenient."

"John Moody had two menservants that were ungodly, especially one of them; who in his passion would wish himself in hell, & use desperate words: yet had a good measure of knowledge. These 2 servants would go to the oyster bank, & did against the counsell of their governor, where they lay all night; & in the morning early when the tide was out they gathering oysters, did unskillfully leave their boate afloat, & the tide quickly carried it away, which made them cry & hollow, till water had risen to the armlevls as its thought, & then a man from

Rocksborough Meeting-house hill, heard them cry and call, & he cryed & ran & hastened to them, but they were both drowned — a dreadfull example of God's displeasure against obstinat servants."

"Mary Dumer she was a godly woman, but by seduction of some of her acquaintances she was led away into the new opinions of M^ris^ Hutchinson's time. Mr. Clark one of the same opinions, unskillfully gave her a vomit, yt she dyed in a most uncomfortable manner. But we believe God took her away in mercy from worse evil which she was falling into, & we doubt not but she is gone to heaven."

"So soone as we condescended to improve our praying Indians in the war, from that day forward we always prospered until God pleased to teare the rod in peeces, partly by conquest, partly by their sicknesse & death, & hath brought us peace praised be his name. But no sooner was this rod broken, presently the North-Eastern wars broke forth.

"God also drew forth another rod upon our backs in epidemical sickness which took away many from us. And yet for all this it is the frequent complaint of many wise and godly that little reformation is to be seene of our chief wrath-provoking sins as pride, covetousnesse, animosity, personal neglect of gospelyzing our youth & of gospelizing of the Indians. Drinking houses multiplyed, not lessened, Quakers openly tolerated."

The Puritans had hardly escaped from their persecutions when they turned all their wrath against the Homilists, the adherents of Ann Hutchinson, the Quakers, and the Baptists.

John Wilson vociferated from his pulpit, "he would carry fire in one hand & faggots in the other to burn all the Quakers in the world," and John Higginson "denounced the inner light, as a stinking vapour from hell."

It is astonishing, too, what a bitter animosity reigned against the Baptists, the Anabaptists, — or Rebaptisers as they were called because the rite of baptism was administered to those who joined the new society. They arose in the religious ferment of the sixteenth century, — the Radicals of the Reformation, claiming the Apostolical Succession of the Holy Spirit. Some were most devout and godly, some were noisy and fanatical, but everywhere great horror was excited against them; but, as in so many instances in history, they flourished in persecution and faded in prosperity. Samuel Willard, President of Harvard College, declared: "Such a rough thing as a New England Baptist is not to be handled over-tenderly."

In many of our early records, if a season of scarcity prevailed, or an earthquake visited the settlement, or a great storm, or a disastrous fire, or an outbreak of the Indians, or a time of unusual disease, or a succession of calamities, it was all ascribed to the activity and prosperity of the Baptists.

"Henry Bull lived honestly for a good season but on the suddaine (being weake and affectionate) he was taken and transported with the opinion of familisme [a sect which arose in Holland in the sixteenth century which would take the whole race into one Family of Love] and running in that sisyme he fell into many and grosse sins of lying &c. — for which he was excommunicate."

"Philip Sherman was of a melancholy temperament, but lived honestly & comfortably among us severall years. Upon a just calling went to England & returned again with a blessing. But after his father-in-law, John Porter was so carried away with these opinions, he followed them & removed with them to the island — he behaved himself sinfully & was cast out of the Church."

"William Chase, he came with the first company 1630. He brought one child his son William, a child of ill-quality, & a sore affliction to his parents."

"Mary Chase the wife of William Chase, she had a paralitik humor which fell upon her backbone, so that she could not stir her body but as she was lifted, & filled her with great torture, & caused her backbone to go out of joynt & bunch out from the beginning to the end, of which infirmity she lay 4 years & a halfe, & a great part of the time a sad spectacle of misery — but it pleased God to raise her again — & she bore children."

Rev. Dr. George Ellis, coming upon this record of the Apostle Eliot, wrote to Dr. Holmes for a diagnosis of the case according to the latest scientific and medical knowledge, and received the following most characteristic reply: —

No. 296 BEACON ST., June 3, 1881.

MY DEAR DR. ELLIS, — A consultation without seeing the patient is like a murder trial without the corpus delicti being in evidence. You remember the story of Jeremiah Mason, and the witness who had had a vision in which the Angel Gabriel informed him of some important facts: 'Subpœna the Angel Gabriel.' So I should say, carry us to the bedside of Mary Chase; but she has been under green bed-clothes so long that I am afraid that she would be hard to wake up. We must

guess as well as we can under the circumstances. The question is whether she had angular curvature, lateral curvature, or no curvature at all. If the first, angular curvature, you must consult such authorities as Bryant, Dewitt and the rest. If you are not satisfied with these modern writers, all I have to say is, as I have said before when asked whom to consult in such cases, "Go to Pott," to Percival Pott, the famous surgeon of the last century, from whom this affection has received the name by which it is still known, of "Pott's Disease," — for if a doctor has the luck to find out a new malady it is tied to his name like a tin-kettle to a dog's tail, and he goes clattering down the highway of fame to posterity with his æolian attachment following at his heels. As for the lateral curvature, if that had existed, it seems as if the Apostle Eliot would have said she bulged sideways, or something like that, instead of saying the backbone bunched out from beginning to end. Besides I doubt if lateral curvature is apt to cause paralysis. Crooked backs are everywhere as tailors and dressmakers know, and nobody expects to be palsied because one shoulder is higher than the other — as Alexander the Great's was, and Alexander Pope's also.

I doubt whether Mary Chase had any real curvature at all. Her case looks to me like one of those *mimoses*, as Marshall Hall called certain forms of hysteria which imitate different diseases, among the rest paralysis. The body of a hysteric patient will take on the look of all sorts of more serious affections. As for mental and moral manifestations, a hysteric girl will lie so that Sapphira would blush for her, and she could give lessons to a professional pickpocket in the art of stealing. Hysteria might be described as possession, possession by seven devils, except that this number is quite insufficient to account for all the pranks played by the subjects of this extraordinary malady.

I do not want to say anything against Mary Chase, but I suspect that, getting nervous and tired and hysteric, she got into bed, which she found rather agreeable after too much housework, and perhaps too much going to meeting; liked it better and better, curled herself up into a bunch which made her look as if her back was really distorted, found she was cosseted and posseted and prayed over and made much of, and so lay quiet, until a false paralysis caught hold of her legs and held her there. If some one had "hollered" "Fire," it is not unlikely that she would have jumped out of bed as many other such paralytics have done under such circumstances. She could have moved, probably enough, if any one could have made her believe that she had the power of doing it. *Possumus quia posse videmus.* She had played possum so long that at last it became *non possum*.

Yours very truly,

O. W. Holmes, M.D.

Hon. James M. Barker was appointed to write the memoir of the late Paul A. Chadbourne, which was originally assigned to the late Rev. Dr. Egbert C. Smyth.

Mr. Charles C. Smith communicated by title for Mr. WORTHINGTON C. FORD, a Corresponding Member, "Some Notes by Alexander Hamilton of Debates in the Federal Convention of 1787." Mr. Smith also communicated for Mr. JAMES F. RHODES, who was unavoidably absent, the memoir of the late Edward L. Pierce, which Mr. Rhodes had been appointed to write for the Proceedings.

Alexander Hamilton's Notes on the Federal Convention of 1787.

The following notes of debates in the Federal Convention were taken by Alexander Hamilton, and are contained on a few undated sheets of paper among the Hamilton Papers in the Library of Congress. I was of the opinion that they might have been notes for the Federalist essays, taken from Madison's records; but a more careful examination showed that they were independent memoranda, and often adding a little to what Madison wrote down in his capacity of self-appointed reporter. To show the connection I have drawn off the corresponding sentences in the Madison notes, using the excellent edition of Mr. Gaillard Hunt, which in thoroughness and accuracy is much in advance of any previous issue. There is enough of original matter in the Hamilton notes to justify the publication. They show the bent of his mind, and the difference between the mental tastes of Madison and himself, demonstrating why Madison was so much the better reporter of debates. But a further point is made: the notes made by Paterson have just been printed, and it is known that Jackson, the secretary to the convention, made copious notes. May it not be conjectured that other members followed the course of Madison, Yates, King, Paterson, Jackson, and Hamilton, and that we have not yet exhausted the material in existence on this most interesting convention. Professors Jameson and McLaughlin have shown what can be done towards illustrating the documentary history of that assemblage, and in the same spirit I offer these notes of Hamilton.

June 1, 1787.

HAMILTON.

The way to prevent a majority from having an interest to oppress the minority is to enlarge the sphere.

Madison. Elective Monarchies turbulent and unhappy.

Men unwilling to admit so decided a superiority of merit in an individual as to accede to his appointment to so preëminent a station.

If several are admitted as there will be many competitors of equal merit they may be all included — contention prevented — & the republican genius consulted.

Randolph. I. Situation of this country peculiar.

II. Taught the people an aversion to Monarchy.

III. All their constitutions opposed to it.

IV. Fixed character of the people opposed to it.

V. If proposed will prevent a fair discussion of the plan.

VI. Why cannot three execute? View (or voice) of America. Safety to liberty the next object.

Great exertions only requisite on particular occasions.

Legislature may appoint a dictator when necessary.

Seeds of destruction — slaves — [*former continental army* struck out] might be safely enlisted.

MADISON.

[Madison. If [Executive Power] large, we shall have the Evils of Elective Monarchies. Rufus King, I, 588.]

May appoint men devoted to them — & even bribe the legislature by offices.

Chief Magistrate must be free from impeachment.

Wilson. Extent — manners.

Confederated republic unites advantages & banishes disadvantages of other kinds of governments.

rendering the executive ineligible an infringement of the right of election.

Bedford. peculiar talents requisite for *execution*, therefore ought to be opportunity of ascertaining his talents — therefore frequent change.

Mr. Bedford was strongly opposed to so long a term as seven years. He begged the Committee to consider what the situation of the Country would be, in case the first magistrate should be saddled on it for such a period and it should be found on trial that he did not possess the qualifications ascribed to him, or should lose them after his appointment. Madison, III, 63–4.

Princ. 1. The further men are from the ultimate point of importance the readier they will be [to] concur in a change.

2. Civilization approximates the different species of governments.

3. Vigour is the result of several principles. activity wisdom — confidence.

4. Extent of limits will occasion the non attendance of remote members & tend to throw the government into the hands of the Country near the seat of government — a reason for strengthening the upper branch & multiplying the Inducements to attendance.

June 6, 1787.

PRINCIPLES.

I. Human mind fond of Compromise.

Maddisons Theory

Two principles upon which republics ought to be constructed.

I. That they have such extent as to render combinations on the ground of Interest difficult.

II. By a process of election calculated to refine the representation of the People.

Answer. There is truth in both these principles but they do not conclude so strongly as he supposes.

The Assembly when chosen will meet in one room if they are drawn from half the globe — & will be liable to all the passions of popular assemblies.

If more *minute links* are wanting others will supply them. Distinctions of Eastern middle and Southern states will come into view; between commercial and non commercial States. Imaginary lines will influence, &c. Human mind prone to limit its view by near and local objects.

Paper money is capable of giving a general impulse. It is easy to conceive a popular sentiment pervading the E. States.

Observ. large districts less liable to be influenced by factious demagogues than small.

Note. This is in some degree true but not so generally as may be supposed. Frequently small portions of the large districts carry elections. An influential demagogue will give an impulse to

the whole. Demagogues are not always *inconsiderable* persons. Patricians were frequently demagogues. Characters are less known & a less active interest taken in them.

A free government to be preferred to an absolute monarchy not because of the occasional violations of *liberty* or *property*, but because of the tendency of the Free Government to interest the passions of the community in its favour, beget public spirit and public confidence.

Re. When public mind is prepared to adopt the present plan they will outgo our proposition. They will never part with Sovereignty of the state till they are tired (?) of the state governments.

Mr Pinkney. If Legislatures do not partake in the appointment of, they will be more jealous.

The State Legislatures also he said would be more jealous, & more ready to thwart the National Gov^t^, if excluded from a participation in it. Madison, III, 107.

Pinckney. Elections by the State legislatures will be better than those by the people.

He differed from gentlemen who thought that a choice by the people w^d^ be a better guard ag^st^ bad measures, than by the Legislatures. Madison, III, 107.

Principle. Danger that the Executive by too frequent communication with the judicial may corrupt it. They may learn to enter into his passions.

Note. At the period which terminates the duration of the Executive, there will be always an awful crisis — in the national situation.

Note. The arguments to prove that a negative would not be used would go so far as to prove that

the revisionary power would not be exercised.

Mr Mason. The purse & sword will be in the hands of the [executive, *struck out*] — legislature.

The purse & the sword ought never to get into the same hands whether Legislative or Executive. Madison, III, 110.

One great defect of our Governments are that they do not present objects sufficiently interesting to the human mind.

A reason for leaving little or nothing to the state legislatures will be that as their objects are diminished they will be worse composed. Proper men will be less inclined to participate in them.

June 7, 1787.

Dickinson. He would have the state legislatures elect senators, because he would bring into the general government the sense of the state Governments &

because the most respectable choices would be made.

Mr Dickinson had two reasons for his motion. 1, because the sense of the States would be better collected through their Governments ; than immediately from the people at large ;
2. because he wished the Senate to consist of the most distinguished characters, . . . and he thought such characters more likely to be selected by the State Legislatures, than in any other mode. Madison, III, 112.

Note. Separate states may give stronger organs to their governments or engage more the good will of : — while Gen! Gov.

☞ Consider the Principle of Rivalship by excluding the state Legislatures.

Mr Pinckney thought the 2d branch ought to be permanent & independent ; & that the members of it wd be rendered more so by receiving their appointment from the State Legislatures. This mode would avoid the rivalships & dis-

contents incident to the election by districts. Madison, III, 119.

Mason. General government could not know how to make laws for every part — such as respect *agriculture*, &c.

Mason. It is impossible for one power to pervade the extreme parts of the U. S. so as to carry equal justice to them. Madison, III, 120.

particular governments would have *no defensive* power unless let into the constitution as a Constituent part.

The State Legislatures also ought to have some means of defending themselves agst encroachments of the Nat^{l} Gov^{t} . . . And what better means can we provide than the giving them some share in, or rather to make them a constituent part of, the Nat^{l} Establishment. Madison, III, 120.

June 8, 1787.

Pinckney. For general Negative.

He urged that such a universality of the power [to negative all laws judged improper] was indispensably necessary to render it effectual. Madison, III, 121.

Gerry. Is for negative on paper emissions.

He had no objection to authorize a negative to paper money and similar measures. Madison, III, 123.

New States will arise which cannot be controuled — & may outweigh & controul.

New States too having separate views from the old States will never come into the Union. They may even be under some foreign influence. Madison, III, 123.

Wilson. Foreign influence may infect certain corners of confederacy what ought to be restrained.

Union bases of our oppos. & Ind[ependence.]

Bedford. Arithmetical calculation of proportional influence in General Government.

Pensyl. & Delaware may have rivalship in commerce — & influence of Pens. sacrifice delaware.

In this case Delaware would have about $^{1}/_{90}$ for its share in the General Councils, whilst Pa & Va would possess $\frac{1}{4}$ of the whole. Is there no difference of interests, no rivalship of commerce, of manufac-

If there be a negative in G. G. yet if a law can pass through all the forms of S — C it will require force to abrogate it.

Butler. Will a man throw afloat his property & confide it to a government a thousand miles distant?

tures? Will not these large States crush the small ones whenever they stand in the way of their ambitions or interested views. . . . If the State does not obey the law of the new System, must not force be resorted to as the only ultimate remedy. Madison, III, 125–6.

June 16, 1787.

M[r] Lansing. N[ew] S[ystem] proposes to draw representation from the whole body of people, without regard to S[tate] sovereignties.

Subs: proposes to preserve the State Sovereignties.

Powers. Different Legislatures had a different object.

Revise the confederation.

Ind. States cannot be supposed to be willing to annihilate the States.

State of New York would not have agreed to send members on this ground.

In vain to devise systems however good which will not be adopted.

If convulsions happen nothing we can do will give them a direction.

Legislatures cannot be expected to make such a sacrafice.

The wisest men in forming a system from theory apt to be mistaken.

He was decidedly of opinion that the power of the Convention was restrained to amendments of a federal nature, and having for their basis the Confederacy in being.

N. York would never have concurred in sending deputies to the Convention, if she had supposed the deliberations were to turn on a consolidation of the States, and a National Government.

It is in vain to propose what will not accord with these [sentiments of people.]

The present national government has no precedent or experience to support it.

General opinion that certain additional powers ought to be given to Congress.

Mr. Patterson. 1. plan accords with powers.

2. plan accords with sentiments of the People.

If Confederation radically defective we ought to return to our states and tell them so.

Comes not here to speak sentiments of his own but to speak the sense of his Constituents.

States treat[ed] as equal.

Present Compact gives one *vote to* each state.

Alterations are to be made by Congress and all the Legislatures.

All parties to a Contract must assent to its dissolution.

States collectively have advantages in which the smaller states do not participate — therefore individual rules do not apply.

Force of government will not depend on proportion of representation — but on

Quantity of power.

Check not necessary in a ge[ne]ral government of communities — but

in an individual state spirit of faction is to be checked.

How have Congress hitherto conducted themselves?

The People approve of Congress but think they have not powers enough.

The Scheme is itself totally novel. There is no parallel to it to be found.

An augmentation of the powers of Congress will be readily approved by them. Madison, III, 171, 2.

He preferred it because it accorded 1. with the powers of the Convention, 2 with the sentiments of the people.

If the confederacy was radically wrong, let us return to our States, and obtain larger powers, not assume them ourselves.

I came here not to speak my own sentiments, but the sentiments of those who sent me.

5th. art: of confederation giving each State a vote.

13th. declaring that no alteration shall be made without unanimous consent.

What is unanimously done must be unanimously undone.

Its efficacy will depend on the quantum of power collected, not on its being drawn from the States, or from the individuals.

The reason of the precaution [a check] is not applicable to this case. Within a particular State, where party heats prevail, such a check may be necessary.

Do the people at large complain of Cong[s]? No, what they wish is that Cong[s] may have more power.

body constituted like Congress from the *fewness* of their numbers more wisdom and energy —

than the complicated system of Virginia.

Expence enormous.

180 commons, 90 senators, 270.

With proper powers Cong: will act with more energy & wisdom than the proposed Nat! Legislature; being fewer in number.

You have 270 coming once at least a year from the most distant as well as the most central parts of the republic . . . can so expensive a system be seriously thought of? Madison, III, 172–175.

See Madison III, 175, 176.

Wilson. Points of Disagreement.

Va.	N. J.
1. 2 or three branches.	One branch.
2. Derives authority from people.	from States
3. Proportion of suffrage.	Equality.
4. Single Executive.	Plural.
5. Majority to govern.	Minority to govern.
6. Legislate in all matters of general concern.	Partial objects.
7. Negative.	None.
8. Removeable by impeachment.	On application of majority of executives.
9. Qualified negative by Executive.	None.
10. Inf[erior] tribunals.	None.
11. Orig[inal] Jurisdiction in all cases of Nat: Rev.	None.
12. National Government to be ratified by People.	To be ratified by Legislatures.

Empowered to propose every thing, to conclude nothing. p. 176

Does not think State governments the idols of the people. p. 176

Thinks a competent national government will be a favorite of the people.

Complaints from every part of United States that the purposes of government cannot be answered.

In constituting a government not merely necessary to give proper powers, but to give them to proper hands.

Two reasons against giving additional powers to Congress. p. 177

First it does not stand on the authority of the people.

Second, It is a single branch.

Inequality, the poison of all governments.

Lord Chesterfield speaks of a Commission to be obtained for a member of a small province.

Pinkney

Mr. Elsworth.

Mr. Randolph. Spirit of the People in favour of the Virginia scheme.

We have powers; but if we had not we ought not to scruple.

Mr. Randolph was not scrupulous on the point of power.

June 19, 1787.

Maddison. Breach of compact in one article releases the whole.

A breach of the fundamental principles of the compact by a part of the Society would certainly absolve the other part from their obligation to it. Madison III, 210.

Treaties may still be violated by the States under the Jersey plan.

The proposed amendment to it [Confederation] does not supply the omission. Madison, III, 212.

Appellate jurisdiction not sufficient because second trial cannot be had under it.

Of what avail cd an appellate tribunal be, after an acquittal? Madison, III, 213.

Attempts made by one of the greatest monarchs of Europe to equalize the local peculiarities of the separate provinces — in which the agent fell a victim.

It had been found impossible for one of the most absolute princes in Europe (K. of France) directed by the wisdom of one of the most enlightened Ministers (Mr. Neckar) &c. Madison, III, 219.

June 20, 1787.

Mr Lansing. Resolved that the powers of legislation ought to be vested in the United States in Congress.

If our plan be not adopted it will produce those mischiefs which we are sent to obviate.

Principles of system.

Equality of Representation.

Dependence of members of Congress on States.

So long as state distinctions exist, state prejudices will operate whether election be by *states* or *people*.

If no interest to *oppress* no need of apportionment.

Mr Lansing . . . moved . . "that the powers of legislation be vested in the U. States in Congress." Madison, III, 227.

If it were true that such a uniformity of interests existed among the States, there was equal safety for all of them, whether the representation remained as heretofore, or were proportioned as now proposed. Madison, III, 228.

Virginia 16. Delaware 1.

Will General Government have leisure to examine state laws?

Is it conceivable that there will be leisure for such a task. Madison, III, 229.

Will G. Government have the necessary information?

Will the members of the General Legislature be competent judges? Madison, III, 229.

Will states agree to surrender?

Let us meet public opinion & hope the progress of sentiment will make future arrangements.

Would like my [Hamilton's] system if it could be established.

System without example.

Mr Mason. Objection to granting power to Congress arose from their constitution.

Sword and *purse* in one body.

Is it to be thought that the people of America . . . will surrender both the sword and the purse to the same body? Madison, III, 231.

Two principles in which *America* are unanimous.

1. Attachment to Republican government

2. Attachment to two branches of legislature.

In two points he was sure it was well settled. 1. in an attachment to Republican government.

2. in an attachment to more than one branch in the legislature. *do.*

Military *force* and *liberty* incompatible.

The most jarring elements of Nature . . . are not more incompatible than such a mixture of civil liberty and military execution. *do.* 232.

Will people maintain a standing army?

Will endeavour to preserve State governments & draw lines — trusting to posterity to amend.

See Madison, III, 232, 233.

Mr Martin. General Government originally formed for the preservation of state governments.

General Government was instituted for the purpose of that support [of State governments].

Objection to giving power to Congress has originated with the legislatures.

It was the Legislatures not the people who refused to enlarge their powers.

so of the states interested in an equal voice.

Otherwise ten of the States must always have been ready to place further confidence in Congress.

Real motive was an opinion that there ought to be distinct governments & not a general government.

People of America preferred the establishment of themselves into 13 separate sovereignties instead of incorporating themselves into one.

If we should form a general government twould break to pieces.

For common safety instituted a General government.

Madison, III, 233, 234.

Jealousy of power the motive.

People have delegated all their authority to State government.

People of states having already tested their powers in their respective Legislatures &c.

Caution necessary to both systems.

Requisitions necessary upon one system as upon another.

In their *system* made requisitions necessary in the first instance but left Congress in the second instance to assess themselves.

Judicial tribunals in the different states would become odious.

. . . would be viewed with a jealousy inconsistent with its usefulness.

If we always to make a change we shall be always in a state of infancy.

☞ States will not be disposed hereafter to strengthen the general government.

Mr Sherman. Confederacy carried us through the war.

Congress carried us through the war.

Non compliances of states owing to various embarrassments.

Much might be said in apology for the failure . . . to comply with the confederation.

Why should state legislatures be unfriendly?

Saw no reason why the State Legislatures should be unfriendly.

State governments will always have the confidence & government of the people; if they cannot be conciliated no efficacious government can be established.

Sense of all states that one *branch is sufficient.*

In none of the ratifications is the want of two branches noticed or complained of.

If consolidated all treaties will be void.

To consolidate the States would dissolve our treaties.

State governments more fit for local legislation, customs, habits &c.

Each State like each individual has its peculiar habits usages and manners. Madison, III, 235, 236.

Date unidentified.[1]

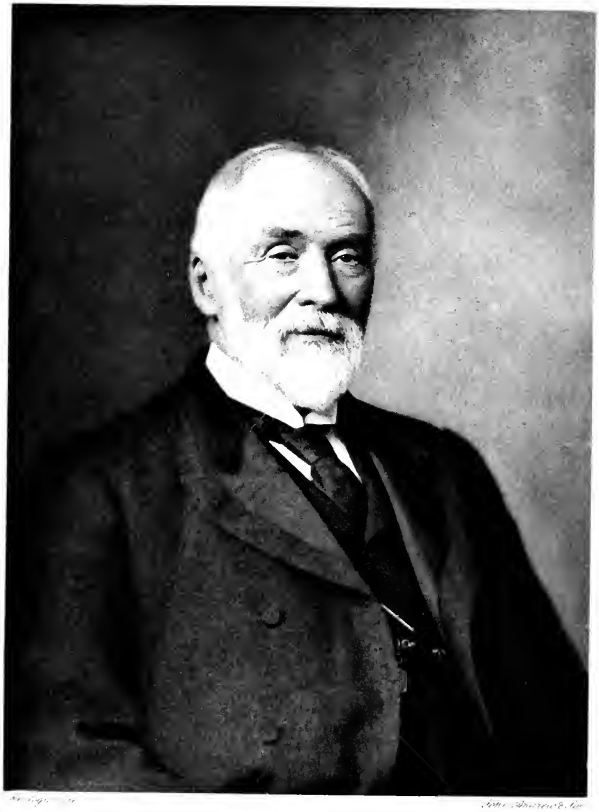
Mr Pinckney. is of opinion that the first branch ought to be appointed in such manner as the legislatures shall direct.

Impracticable for general legislature to decide contested elections.

Remarks were made during the meeting by the PRESIDENT and Messrs. SAMUEL A. GREEN, WILLIAM R. THAYER, WILLIAM W. GOODWIN, THOMAS W. HIGGINSON, and others.

After the adjournment the members, with invited guests, were entertained at luncheon in the Ellis Hall by the President.

[1] On same sheet with the notes for June 19.



Edward L Pierce

MEMOIR

OF

EDWARD L. PIERCE.

BY JAMES FORD RHODES.

EDWARD LILLIE PIERCE was born at Stoughton, Massachusetts, on March 29, 1829, and died in Paris on September 6, 1897. His ancestry was the sturdy Puritanical stock of the rural districts of New England. His father, Jesse Pierce, was a farmer, a schoolmaster, colonel of militia, and also served a number of terms in the lower branch of the Massachusetts Legislature. He was a good teacher and sympathetic father, and repaid his son Edward for the hard work he did during the day on the farm by systematic instruction in the evening. Edward had robust health and took kindly to this blending of physical and mental training. It was a wholesome bringing-up. In due time he was sent to the State Normal School at Bridgewater, where he was prepared for college, entering Brown University at the age of seventeen. He had the *cacoëthes scribendi*, and during his college course wrote a number of magazine articles, three of which were printed in the "Democratic Review." After graduating from Brown he went to the Harvard Law School, and in 1852 took his degree of LL.B.

While still in college, his political life began by the formation of a life-long friendship with Charles Sumner and by his ardent espousal of the anti-slavery cause. As a boy of sixteen he had heard with admiration Sumner's Fourth of July address on the True Grandeur of Nations, and later had attended two lectures which were delivered in Providence. Eager to make the acquaintance of the speaker he so revered, he sent to him with a letter one of his magazine articles, which brought from Sumner an invitation to call upon him, and this Pierce availed himself of many times during his frequent visits to Boston; he

also wrote to Sumner on other occasions for advice, which was freely given. On a certain day in 1850 Edward Pierce made this entry in his journal: "I have read the Fugitive Slave bill to-day, and it is outrageous. I stand ready to defy it and to give succor to the fugitive." His warm friendship with Sumner and his desire for the freedom of the slaves were the most important influences on his career. He also fell under the sway of Salmon P. Chase. Introduced to him by Sumner, he was for a while in his law office in Cincinnati, and afterwards became the private secretary of the Senator in Washington; but in 1855 he returned to Boston.

When the Civil War broke out in 1861, Edward Pierce went to the front as a three months' volunteer with the Massachusetts Third, and at Fort Monroe was placed by General Butler in charge of the "contraband" negroes who were working on the entrenchments. He wrote an interesting account of his experience for the "Atlantic Monthly" (November, 1861), and when his term of enlistment expired, he was sent by Secretary Chase to Port Royal, South Carolina, to superintend the raising of cotton by the freedmen. His interest in this matter was great, and he was fond in after life of referring to his experience during the first two years of the war. His sympathy with the negro never ceased. "Did you know," he wrote to me, February 8, 1895, "a *negro* college gave me LL.D. last summer? You would not value that, but I value it more than the one given me by Brown University. It was from Claflin University, Orangeburg, South Carolina, where Keitt lived."

In 1863 he was appointed by President Lincoln Collector of Internal Revenue in Boston. From 1866 to 1870 he was District Attorney of Norfolk and Plymouth counties; from 1870 to 1874, Secretary of the Massachusetts Board of State Charities. In 1875 and 1876 he was a member of the House of Representatives of his Commonwealth, and he also represented the town of Milton in that body at the time of his death. In common with many Republicans he was defeated for Congress in 1890. Edward Pierce loved political life, and it was a pity for the community that he was not more frequently called into the service of his State or nation. He published a law book in 1857, another in 1874, and still another in 1881. He was made a member of this Society in March, 1893, and served on the Council from 1895 to 1897. In 1895 he edited the Diary

of John Rowe. He read with great effect, at our March meeting in 1896, a very interesting paper on Recollections as a Source of History. This and some other articles he published in a book of addresses and essays in 1896.

His most memorable literary work was the Memoir and Letters of Charles Sumner, the last two volumes of which were published in 1893. This work is his title to fame. When one says that the biography is written by an ardent friend and hero worshipper, one has uttered the only criticism that is likely to be made of it. It is almost always accurate, it is in the main impartial. A positive man, as was Edward Pierce, would certainly express his opinions, but he covers up nothing, and whenever he is an advocate or partisan he is an honest one. In parts of his book he shows a fine reserve. Even a conservative acquaintance thought him too moderate in treating the Brooks assault. But, said Pierce, in a private letter, "he is mistaken. The true way was to set forth all the facts clearly which had not been done before and to leave them there without epithet or display of temper." Pierce, like Sumner, never exhibited any vindictiveness to Brooks, although he had, as an impressible young man, a vivid sense of the injury done to his hero. In September, 1856, he dined and took tea in company with Sumner at the house of a common friend in Philadelphia, writing thus in his diary: "Sumner looks as well as ever, and his appetite and digestion are good. But his step is still very measured, and he has had wakeful nights. He says he shall recover. . . . I fear he may have a spinal affection." On one of his many journeys Pierce, if I remember correctly, visited the grave of Preston Brooks in South Carolina.

His attitude towards Sumner is well exhibited in an exclamation in a private letter: "What slippery fellows public men are! Sumner is the only one on whom you could put your finger and always find him there — never double or misleading." I do not remember that Pierce points out in his book how much easier it is for a public man who has devoted himself almost exclusively to a moral cause to be consistent than it is for a party leader or a constructive statesman. But such an omission in the book cannot be accounted a defect.

Pierce's idea of the work of an historian or a biographer is well stated in another private letter. To read "newspapers,

pamphlets, books, official reports, etc.," he wrote, "is a dreary work, tasking nerves and eyes, but it richly repays in the finished result. I have little respect for genius except in science, but I have profound respect for honest, painstaking industry in everything, be it history, biography, or travels. The men who declined to write Sumner's memoir would have beaten me in fine English, but I feel that I have matched them by patience and toil." In the preparation of the Memoir of Sumner Pierce read forty thousand letters (I believe); he did all his work himself, having no assistants of any kind. His book is more than a biography. It is a history of many phases of the time. It is by no means written alone from his wealth of manuscript material. He compassed also much of the printed matter. He knew thoroughly the fifteen volumes of Sumner's Works. He was well read in the Congressional Globe and in the newspapers of the day, and he had a knack at going to the bottom of things which renders his notes of great value to the historical student. With the general histories and biographies he was of course acquainted. The book is a valuable contribution to American history, and Charles Sumner was fortunate in his biographer.

Pierce's knowledge of men and affairs enabled him to use his literary materials in a masterly way. From an early age he sought the company of distinguished men, whom he studied as well as books. Here is an entry in his diary for September, 1856: "In New York I was introduced by John Bigelow to Colonel Frémont, the Republican candidate for President. During our interview a delegation of orthodox clergymen waited upon him to satisfy themselves of the falsity of the rumor that he is a Catholic. He is a thin, spare man, but compact and sinewy. His conversation is easy and positive. He appears to be an honest man." Pierce took great joy in travel and was constantly going about. He went to Europe seventeen or eighteen times, I believe. He went into society a good deal in England, and at one time saw much of John Bright and John Morley, his admiration for Bright being great. The Athenæum Club he used to say was a home. Here is an account he wrote to me dated at the Athenæum, August 27, 1893: "I lunched with Joseph Chamberlain last week. His young Salem wife calls him 'Joe.' At the table were also his daughter and his son, an M. P., who is a Unionist whip. On

Friday night I was in the House and heard all the leaders, Gladstone, Morley, Chamberlain, Goschen, Balfour, Sir H. James, J. Bryce, but it was hardly a great debate, though it was the night the bill passed. It concerned details rather than principles." Enoch, his dragoman at Cairo, used to say that when Mr. Pierce was stopping at Shepheard's Hotel he lost no opportunity of becoming acquainted with distinguished men, even introducing himself when no other opportunity offered. He told Enoch he considered it a duty to so employ his time. He would go out of his way to visit American public men. He once passed the larger part of two days with Fessenden (the summer of 1864) when the Maine Senator and Sumner were not on the best of terms. He says in his book that both these Senators were "important to the public service" and were "of equal integrity and patriotism" (vol. iv. p. 190). He knew Trumbull well, and never lost his respect for him, although he deprecated his cheap money and labor ideas of later days. In a review of John Sherman's Recollections in the "American Historical Review" he put on record his appreciation of the services of the hard-working Ohio Senator, and was very desirous of making his personal acquaintance. From the lips of Sumner and Chase he heard much history; from his friendship with Senator Hoar the continuity of historical tradition was maintained.

Places as well as people interested this many-sided man. In October, 1893, he wrote to me from Italy: "Two weeks ago I was at Vallombrosa. You recall Milton's line 'thick as [autumnal] leaves in Vallombrosa.' I found less than I have in my garden in November. I walked under the dense shade of the pines, but did not ascend to the line where the chestnuts begin. It is on a high hill or mountain, not in a valley, as I supposed." I must add what follows as illustrating a previous remark: "I had an interview with old Kossuth, October 3, at Turin. His mind is as clear as ever — and just think of it — he is 91." In the following February he wrote to me: "Rome is of course always interesting, and excavations have opened much in the last twenty-five years. But I think the fascination is much less with the tourists of to-day than with the old travellers like Goethe or Americans like Sumner and Hillard, who came in the thirties and forties, who entered by diligence and threaded its narrow streets. Everywhere are wide

boulevards and grand hotels. A horde of tourists, mostly ignorant, largely old maids, widows, and wandering girls, aimless, pretending, perhaps, to care for art but caring mostly for spectacles, dances, drives, and flirting, — such as these abound. The Rome that once was which scholars entered with reverential awe has gone forever, and in its place is a modern Paris still rich in art and in landscapes, where present life so oppresses you that it is impossible to revive the past as one could a half-century and century ago."

Pierce's radical views and pronounced opinions did not prevent his loving fairness and justice. A paragraph in one of his letters to me (October 22, 1893) produced on me a profound impression: "I wrote Professor Shaler some months ago," he said, "(never having yet seen him) suggesting that he or Professor Gildersleeve take up the treatment of our soldiers in Southern prisons, and show that it was not what the statements of our historians and government make it to have been, saying that it was very important for the good name of the Southern people that it should be done. The professor replied courteously, but said I had better do it! Of course it was not my field, but for the honor of human nature I wish such a vindication if possible should be made."

My friendship with Edward L. Pierce began in 1893, and continued up to the time of his death. When we were both at home, we saw much of each other. He was accustomed often to drop in to luncheon, and not infrequently passed a night with us in town or in the country. He was ever the genial, kindly-disposed, unselfish man. He was an intelligent talker, and the conversation was apt to run on his different experiences with men. He was decidedly an interesting man. Apt to be egotistical, he never displayed conceit and never bored you. I saw much of him in company with General J. D. Cox, Justin Winsor, and George H. Monroe, all deceased members of this Society, and with them he was sympathetic, expansive, and humorous, showing a wide knowledge of American history and politics. He used to say with a twinkle in his eye that he never talked history except with us. Certainly I have never heard many men talk better than he did on those occasions.

In this paper I have emphasized Edward Pierce's geniality, fairness, and toleration. I have been told frequently that

there was another side, less lovely, to his character. In social intercourse I never saw that side, and only once on a public occasion. I have presented him as he appeared to me, and if the presentation be not accurate as a whole picture, it is a faithful portrayal of the side which I saw. I rate him a splendid type of a Massachusetts man and an American.

His devotion to this Society was marked. Longing for admittance to it for many years and feeling keenly the lack of appreciation or the slight which prevented his election for so long a time, he accepted the membership when it came with gratitude. He counted it a great honor to belong to the Society, and believed too that duty went with honor. He was a diligent member. Always present when possible at the meetings, he looked forward to them with pleasure and discoursed of the past proceedings with interest. It will be recalled that his death and that of Mr. Winsor were commemorated at two successive meetings [October and November, 1897]. I remember a remark of our President, "Their loss to the Society is almost irreparable."

OCTOBER MEETING, 1904.

The stated meeting — the first since the summer vacation — was held on Thursday, the 13th instant, at three o'clock, P. M.; the President in the chair.

The record of the June meeting was read and approved; and reports were presented by the Librarian, the Corresponding Secretary, and the Cabinet-Keeper.

On the recommendation of the Council it was voted that the name of the Right Hon. John Morley should be transferred from the list of Corresponding Members to that of Honorary Members.

The President read the following paper: —

For the sixth time since our occupation of this building, we resume our monthly meetings. It is also the tenth October in which it has devolved on me, when here, to welcome back the members of the Society. Both facts are suggestive at least of the extreme rapidity of change; for, while nearly one-third of our membership has already been renewed since this building has been in use, considerably less than one-half the names now on its Resident roll were on that roll when, in December, 1894, Dr. Ellis died.

Once only during these ten Octobers have we met the same in number as when we separated in June. The exception was a year ago. This October follows the rule; and I have to announce three vacancies in the roll of our Resident Membership, and one in our Corresponding roll. Of these presently; but in years past it has been my custom on this occasion to make some reference, more or less extended, to what has been accomplished by the Society during the summer interval, and also to events of possible future historical interest which may therein have occurred.

So far as the Society and its work are concerned there is little — indeed, practically nothing — to report. We have not added to our list of publications, except the Serial now on

the table, covering our May and June meetings; nor has anything of special moment occurred at our building. Editorial work on both the Heath Papers and Mr. Chamberlain's History of Chelsea has progressed steadily, but with no outward results.

The only commemoration of a noticeable character during the summer was the series of tercentenaries held in the provinces of Nova Scotia and New Brunswick in commemoration of the De Monts and Champlain settlements of 1604, the story of which has been told by Parkman. In those celebrations this Society was specially invited to participate, and Mr. Lord and myself took it upon us to represent it. Leaving Boston on the evening of the 17th June, we passed the following Sunday in Halifax; and on Monday went to Annapolis-Royal, where the first of the celebrations, extending over two days, took place. As, doubtless, many of the members of the Society are aware, Annapolis-Royal lies in the very heart of what is now generally spoken of as "the Evangeline country," Grand Pré being but twenty miles from it; it is also connected with a number of historic events which cut no inconsiderable figure in the first century and a half of the history of the Colony and Province of Massachusetts Bay. From every point of view — poetic, legendary, historical — it is interesting ground. There, and at St. John, and finally at St. Croix, Mr. Lord and I were treated with much consideration, and the occasions were made highly enjoyable to us. We were made to feel at home. Indeed, it was surprising to us both to realize the degree in which the New England, and especially the Massachusetts, element permeates the so-called Provinces. In Nova Scotia, for instance, the present venerable Lieutenant-Governor, Mr. Jones, is descended from Revolutionary refugees from the town (Weston) next to that in which I live; while the able and genial Attorney-General, the President of their Historical Society, Mr. J. W. Longley, is also of Massachusetts descent, coming, I believe, from Groton. In the burying-ground of Halifax many of the unhappy Revolutionary refugees found a resting-place; and Mr. Lord read and copied the inscription over the grave of one whose familiar Pilgrim name showed that the ashes underneath properly should be in Plymouth. We here and now fail to realize that "by the summer of 1784 it was estimated that 30,000 loyalists

had settled in Nova Scotia."[1] By no means all of these were from New England; and curious evidence of a considerable Southern infusion is still apparent in the large number of those of African blood living in and about Annapolis-Royal, — nearly all, I was informed, the descendants of slaves who had accompanied their royalist owners into exile. St. John, as is well known, was settled by Revolutionary royalists, and almost the first address there made at the June commemoration was by the Vice-President of the Society of Loyalists. Needless to say, throughout all that region the names of Longfellow and Parkman are household words.

Of my contributions to those occasions I do not know that any detailed reports were published; and certainly I had made for them no elaborate preparation. It was the same with Mr. Lord. Depending entirely on the moment to suggest what might be suitable, I made one point which at the time seemed of interest, and has to me so seemed since. It was at Annapolis-Royal. I there sought to distinguish the French settlement of 1604, with which De Monts and Champlain were connected, from the subsequent English settlement of 1620 at Plymouth, — our settlement. I did so by emphasizing the fact that the early French settlements, one and all, so far as my investigations enabled me to express an opinion, consisted solely of men. They had a mercantile purpose, and not one of them contained within itself the capacity of self-perpetuation. That is, until Plymouth, there was no settlement anywhere on either American continent in which women and the family entered as an equal factor with males. There was consequently dramatic significance in the Plymouth legend that Mary Chilton, a mere girl, was the first to spring ashore, when a boat from the "Mayflower" brought to land its pioneer load. It may be only a tradition; and, like most traditions, it is more than probable it might resolve itself into nothing under the test of cautious inquiry. But Mary Chilton has passed into history with that girlish leap from the boat on to the Plymouth shore; and that leap forecast our future. Within her girdle, I declared, was the potentiality of Empire.

So also, curiously enough, because again symbolical of a momentous fact, it is said that Ann Pollard, then a girl of

[1] See paper on "Nova Scotia during the Revolution," by E. P. Weaver, American Historical Review, vol. x. pp. 52–71.

eight, "went over in the first boat that crossed Charles River, in 1630, to what has since been called Boston; [and] was the first that jumped ashore." Her portrait hangs on our walls, alleged to have been taken of her in her hundred and third year.[1]

My assertion, while pleasantly received when made, subsequently excited criticism. In the August "Canadian Magazine," a copy of which in due time reached me, there was an attempt to invalidate it. It was there asserted that my claim on behalf of Plymouth would "not stand investigation." Women and children, it was contended, formed a part of the St. Augustine settlement of Menendez as early as 1565, while in 1607 Mrs. Thomas Forest and her maid, Anne Barras, landed at Jamestown; where, a few weeks later, the first Virginia marriage was celebrated. The writer of the article[2] goes on to say: "Women did not arrive [in Nova Scotia] until probably fourteen years after Jamestown had been favored with their presence. If the presence of women is the test of permanent settlement, then the honor must go to St. Augustine and Jamestown." In 1617, moreover, the Sieur Hébert arrived at Quebec with his family; and there, the next year, his eldest daughter married Etienne Jonquest, the first marriage solemnized in Quebec. So also it is claimed Marguerite Vienne came to Quebec with her husband in 1616. The writer of the criticism then closes with these words: "In any case the honor of the first permanent settlement cannot go to the Massachusetts colony of 1620. St. Augustine 1565, Port Royal 1604, Jamestown 1607, Quebec 1608, all have prior claims on the distinction."

At Annapolis-Royal I certainly, in what I said, did not speak by the book; but, making since then a cursory examination of the histories of that period, I find in those histories an important omission. Nowhere has a definite study been attempted of the part women, and the family unit, played in the early settlement of America. If cases of individual women, whether wives and daughters of officials, or female adventuresses, or women inventoried and shipped as merchandise, are to be taken into account, it does not admit of question that my statement was open to criticism; for it is well estab-

[1] 3 Mass. Hist. Coll., vol. vii. p. 291.
[2] The Canadian Magazine, vol. xxiii. p. 338.

lished that an occasional female here and there reached America with the expeditions sent out long before that which came to Plymouth. Parkman, for instance, with the cautionary words "I give the tale as I find it," has handed down the highly apocryphal legend of the French damsel Marguerite, niece of the Sieur de Robeval, and her enforced winter's sojourn with her paramour in the Isle of Demons, as early as 1542. Spanish women undoubtedly were sent, or found their way, across the Atlantic in the sixteenth century. Also, Bancroft alludes incidentally to "men, women and children" in Virginia as early as 1617. Speaking, however, of conditions there, he also says that up to 1620 "few women had dared to cross the Atlantic; but now the promise of prosperity induced ninety agreeable persons, young and incorrupt, to embark for the colony, where they were assured of a welcome. They were transported at the expense of the company, and were married to its tenants, or to men who were able to support them, and who willingly defrayed the costs of their passage, which were rigorously demanded." This earliest speculation in domesticity succeeded so well, in fact, that in 1621 another like venture was made, consisting of sixty "maids of virtuous education, young, handsome, and well recommended." Marriageable young women were now quoted at "from 120 to 150 pounds of tobacco, or even more; so that all the original charges might be repaid. The debt for a wife was a debt of honor, and took precedence of any other." This was in 1621, a year subsequent to the Plymouth settlement; all according to Bancroft. Now I would by no means seem to ignore the fact that of late years history has a way of getting itself rewritten, and Bancroft is already a somewhat old, and so questionable, authority. But the statements in Bancroft on this head, if not invalidated, indicate that, though some women were among those settled in Virginia prior to 1620, yet most distinctly the family was not the unit of movement in emigration up to that time. Thus the point I made at Annapolis-Royal I still believe to have been in its essentials correct. If not correct, I would like to see evidence to the contrary produced. My assertion was, and is, that the one significant and distinguishing feature of the Plymouth settlement, as contrasted with any previous settlement made on the American continent, north or south, was the all-essential feature that — a family

affair, so to speak — women composed in it as large an element as men. The family was the unit of emigration; and, until then, it never was its unit.

So I take this occasion to suggest to our associate, Professor Hart, that an exhaustive monograph on this subject has never been prepared and is much needed. It would be of distinct value. That at this late day such a hiatus should exist, is somewhat curious. None the less, on the fact referred to the whole subsequent course of American development to a great extent turned; for, owing to the absence of a due proportion of women, the French and Spanish emigration lacked the substance and staying power of the English settlement. The Canadian and Mexican half-breed was the result. For other causes, in the Virginia settlement the adventurer in both sexes predominated. Not until later was the family the unit. In this vital respect the initiative belonged to Plymouth. Such was my statement; but it has been challenged. What then are the facts? Here, I submit, is excellent matter for a thesis by some candidate for a Radcliffe College degree, whether of history or letters. Such a study would, moreover, be very opportune, and of special value now, inasmuch as during the next sixteen years a succession of commemorations will occur like that of Cuttyhunk, on the first of September, 1903, and those in New Brunswick and Nova Scotia last June; the most prominent of the series, all commemorating settlements composed of males exclusively, being that to take place at Jamestown in 1907, that of the Popham Colony in Maine, also in 1907, and that of Quebec in 1908. Not one of them contained within itself the potency of self-perpetuation.

Passing to other topics, time does not suffice for allusions even to the war now in progress in the East, or to the presidential election about to take place in this country. Recurring at once to the vacancies in our membership since we parted in June, I shall, in accordance with our custom in such cases, announce the deaths in order of their occurrence.

Of the Resident Members, Dr. Donald died at Ipswich on the 6th August. I shall presently call upon our associate, Mr. Allen, to offer an appreciation of him. In connection with this Society there is, of Dr. Donald, little to be said. Elected a member at the meeting of May 10, 1900, his name, at the time of his death, stood, in the order of seniority, seventy-

eighth on the roll. Though not infrequently present at our meetings, he had never served on the Council or on any of our committees; nor had he contributed to our Proceedings.

It was much the same with Mr. Taft, who died at Pittsfield on the 22d of September. Elected at the 10th of May meeting of 1894, Mr. Taft's name stood, at the time of his death, forty-ninth on the roll. Living in Pittsfield, he naturally was an infrequent attendant at our meetings; nor am I aware that he ever contributed to our Proceedings. He represented a remote part of the Commonwealth; and though taking a very considerable interest in historical matters connected with the portion of the Commonwealth in which he lived, did not here give expression to what he knew. Already, when chosen into the Society, a man advanced in life, at the time of his death he was in his eighty-sixth year. Our associate, Judge Barker, has prepared an appreciation of him which will presently be submitted.

With the third and last of those who have during the vacation period disappeared from our membership, — George Frisbie Hoar, — it is otherwise. Mr. Hoar was elected at the November meeting of 1886. He had therefore, at his death, been nearly eighteen years a member, standing twenty-third on our roll. At the time of his election he was already in his sixty-first year, and, after serving three terms in the national House of Representatives, had been over nine years in the Senate. The traditions of the Society have never favored the election into it of members of the same family, and the fact that his elder brother, Judge E. R. Hoar, had been chosen as long ago as 1864, may have stood somewhat in the way of that earlier consideration which certainly was Senator Hoar's due. During the years that followed, owing to constant and conscientious attendance on public duties at Washington, Mr. Hoar was naturally not a regular attendant at our meetings; but when at home, he rarely failed to be present at them, and frequently took part in discussions which arose. This was notably the case at the May meeting of 1891, and the October meeting of the same year. Nearly always he attended our Annual Meetings. He served on our Historical Manuscripts Committee from 1898 to 1900; and, a year ago (January, 1904) he found time to prepare and contribute to our printed Proceedings a memoir of his friend and cotemporary, the late

Horace Gray. But though he greatly prized his membership here, he was, in connection with all matters historical, more peculiarly identified with a sister organization, the American Antiquarian Society; and to its publications he contributed much which otherwise might have enriched us. But in this, our loss has been another's gain.

Senator Hoar was, however, too long and far too prominent in public life — too closely associated with the history of the Commonwealth — to be thus here dismissed. I shall presently call on his colleague in the Senate, and our long-time associate, Mr. Lodge, to offer the customary appreciation of one with whom he has so long and so intimately served. But before so doing, I claim the privilege of my position. I propose to say a few words of Senator Hoar generally, not as seen or listened to here, but of him viewed historically in his connection with Massachusetts. Unquestionably a large public figure, his death in my judgment marks the close of an epoch in Massachusetts political history. He was the last of a distinct school of public men, — a school which came into existence about the year 1835, and which has since, until Mr. Hoar died, maintained an unbroken prominence. I refer to what may perhaps best be described as the Massachusetts Human-Rights statesmen, — a school which sought and found its inspiration in the great charter of our Independence, which instinctively went back to the rights of man as the basis of all political discussion, and to which the dry tables of statistics and the principles of the economists had small attraction. Of this school Senator Hoar was representative, and with him it passes out of existence. This phase of his character and career I would like further to develop.

After the close of the War of 1812 a distinct race of public men came into prominence in Massachusetts. Of that school Mr. Webster, Edward Everett, and Robert C. Winthrop might be accepted as the distinguishing types. The old Federalist organization had practically passed away with the treaty of Ghent, and Massachusetts then entered upon a new industrial career, — that of manufacturing, as contrasted with the commercial enterprise and the fishing industry characteristic of the earlier periods. Also, from being a community fixed in its opposition to the national government, and so strongly inclined towards the extreme doctrine of states rights as at times to

verge on disloyalty, if not what later came to be known as treason, the Commonwealth became the leading exponent in the nation of the spirit of union and nationality. A different class of industrial and economical questions — issues connected with the tariff, banks, and internal improvements — also came into discussion. The public men of the period were highly educated, somewhat given to classic models of conduct and expression, and almost ostentatiously addicted to what is known as the "scholarly." For twenty years after the peace of 1815 their supremacy practically was in no way challenged.

It was in 1835 that the tremors of the coming earth movement were distinctly perceptible. That year saw both the Garrison mob in Boston, and the first struggle over the right of petition in Washington. The antislavery movement had begun; and, as it gathered magnitude and gained in momentum, it was destined to produce a school of public men of its own. The growth of the new model was slow; but nevertheless, from the first, apparent. Its earliest exponent, J. Q. Adams, ceased to be a factor in active political life in 1845, and three years later died; but, in 1845, Charles Sumner delivered in Boston that Fourth of July "True Greatness of Nations" oration which brought him into prominence. In 1851 the new school, based upon human rights, dramatically asserted itself, when Robert Rantoul, Jr., first, and Charles Sumner afterwards, displaced Robert C. Winthrop, the lineal successor of Daniel Webster, in the Senate of the United States. From the disappearance of the Whig party, in 1854, may be dated the predominance of the new school in Massachusetts. Its leading exponents were Charles Sumner, John A. Andrew, and, subsequently, George Frisbie Hoar. The last of the triumvirate has now passed away; nor has his mantle fallen on another. Questions of a wholly new character have come to the front, and a new generation has succeeded. It may therefore, I think, even now safely be asserted as an historical fact that the phase of public thought which in 1835 first forced itself upon an unwilling Commonwealth in connection with the struggle over slavery, came to a close with the death of Senator Hoar on the 30th of last month. It had outlasted two generations of public men. The passing of Mr. Hoar I therefore hold an occurrence of distinct historic significance. It marks for Massachusetts the close of an era.

It only remains further to announce the death of John Foster Kirk, who died at Chestnut Hill, Pennsylvania, on the 3d of September. Mr. Kirk's name stood, at his death, second on our Corresponding roll, that of Goldwin Smith only preceding it. In reality, however, he was our oldest Corresponding Member; and but three names on our Resident list antedated his. First chosen at the February meeting, 1864, — Professor Goldwin Smith being chosen eight months later, — Mr. Kirk became shortly after a citizen of Massachusetts, and in November, 1865, was elected a Resident Member. He remained such until he again, five years later, left the Commonwealth. He was then (December, 1870) re-elected a Corresponding Member, and has remained such since. Born at Frederickton, New Brunswick, he was at his death well advanced in his eighty-first year.

It is now nearly fifty years since the death of William H. Prescott. There is no member of this Society living who was then (1859) a member of it; few here even remember Mr. Prescott. Yet Mr. Kirk was the connecting link between him and us. I am not aware that Mr. Kirk has ever attended a meeting of the Society since he left Massachusetts; certainly, I myself have never seen him at a meeting. None the less he was Mr. Prescott's literary secretary; and, when Prescott died, his mantle fell on Kirk. His History of Charles the Bold has not been forgotten; and it was while acting as assistant of Mr. Prescott that he conceived the idea of that work. His death is suggestive of a generation of literary men of which few now remain; though our associate, Mr. Hale, antedates him nearly two years in age, and over three years in his connection with the Society.

Rev. Dr. ALEXANDER V. G. ALLEN, having been called on, spoke in substance as follows: —

Dr. Donald was born in Andover in this State, July 31, 1848. He was of Scotch parentage. His father, who was engaged in business at Andover, was a man of deep religious sentiment, reminding one in some measure of the father of Carlyle. Although bringing up his children with a seeming severity, with no show of affection in his manner, yet beneath his reserve toward them there beat a very tender heart. When his son became Rector of Trinity Church, the father

went on one occasion to hear him preach. After service he found his way to the vestry and putting his hand on his son's shoulder, said, "My boy, you did well." It was the first time, said Dr. Donald, that his father had praised him; he was so overcome by the praise that he felt like sinking to the floor.

He was educated in the schools at Andover, going from there to Amherst College, where he graduated in 1869. The next two years were spent in teaching at Belchertown and Newport, Rhode Island. As a teacher he had more than a temporary success. Some of his pupils bore witness in later years to the permanent influence he had exerted on their lives. During his years in college he had sung in the choir of the Episcopal Church, which formed the beginning of his transition from Scotch Presbyterianism to Anglican theology. In 1871 he began his preparation for the Episcopal ministry at the Philadelphia Divinity School, but in consequence of some dissatisfaction or for other reasons, transferred himself to the Union Theological Seminary in New York, a Presbyterian institution, then known as "New School." The late Dr. Shedd was one of his teachers, for whose theology he felt only repulsion, but for the man a great admiration. Graduating in 1874, he was the same year ordered deacon by Bishop Horatio Potter, and in 1875 admitted to the order of priesthood. The year of his diaconate was spent as assistant to the late Rev. John Cotton Smith in the Church of the Ascension on Fifth Avenue, New York. He began very early to attract notice by his power as a preacher. In 1876 he was called to an important parish, at Washington Heights, New York, the Church of the Intercession. Here he remained till 1882, when he was invited, on the death of Dr. Cotton Smith, to become rector of the Church of the Ascension. In the fall of 1892 he succeeded the late Bishop Brooks at Trinity Church, Boston.

The degree of Doctor of Divinity was conferred on him by Amherst College in 1886. At the time of his death he was president of the Amherst alumni; in which capacity it fell to him to induct into office Dr. Harris, the present distinguished head of that institution. The address of Dr. Donald on this occasion was a notable one. In 1897 he received the degree of LL.D. from the University of Western Pennsylvania. While rector of Ascension Church, he was made one of the trustees of the Cathedral of St. John the Divine, an appoint-

ment in which he took pride and interest, his knowledge of church architecture enabling him to render substantial assistance in determining the choice of a plan. His effectiveness as a preacher, combined with his interest in young men and the influence he exerted on them, led to many demands for his service from universities and colleges. Thus he was on the board of preachers at Harvard from 1892 to 1896. He preached often at Yale, Amherst, Columbia, Trinity, and the Institute of Technology. He had an annual appointment at Cornell in which he took great delight. He visited Tuskegee, and founded there a scholarship for public speaking. In 1903 he spent three weeks at the University of Chicago, officiating as chaplain and giving lectures. In 1896 he delivered a course of lectures before the Lowell Institute in Boston. These were afterwards published with the title "The Expansion of Religion." The Episcopal Church in Massachusetts conferred upon him high honors. He was made a member of the Standing Committee of the Diocese soon after coming to Boston, and then became its president, holding this office at his death. He was regularly elected as a delegate from Massachusetts to the General Convention. His election as a member of this Society in May, 1900, gave him great pleasure, and he greatly enjoyed his attendance at its meetings, making it a point to be present whenever it was possible.

The many honors he received point to a man of no ordinary character and equipment. He was an eloquent preacher, combining with polished oratory a style which was rich, strong, and graceful. An artistic element ran through all his work, showing itself in his elocution and his fine rhetoric, apparent also in the ordering of the details of his life, and entering into little things.

In his theology might be traced the effects of his reaction from Calvinism, while he also retained its positive influence in his strong grasp upon the sovereignty of the Divine Will. He would be classed as a Broad Churchman, but he differed from many who are grouped under that designation. His breadth consisted in his wide sympathy with all Christian bodies, which compelled him to reject every principle whose significance lay in limitation or exclusiveness.

Intellectually he was alive and full of force and deep conviction. He must needs know what was going on in the

world ; he shrank from no criticism, whether biblical, scientific, or philosophical, if it were a genuine expression of human thought or feeling or inquiry ; he was able to adjust all such criticism with his own scheme of the purpose of religion or the meaning of life. He had what is sometimes called modernity; he looked at every question from the point of view of the modern man, to whose cultivation the present age has contributed its essential quota. His thought was marked by a powerful individualism. From his reading, his studies, his observation of life he drew his own unhampered conclusions. He has given to us the world as he saw it, — not completely but fundamentally, in his book, " The Expansion of Religion "; whether one agrees or not with his conclusion, he is impressed with its strength and vigor. He sometimes showed a tendency to the doctrinaire advocacy of principles, derived perhaps from Calvinist antecedents. But as a rule what he urges commends itself to the conscience and spiritual intelligence.

In his character he was most generous and open-hearted, quick to see and to admire good in others, equally ready to proclaim it wherever found. He took pleasure in detecting the good in obscure and unsuspected quarters. He was unselfish, disinterested ; especially was he honest in language and in action, keen in reading men, keen in discerning what was hollow or superficial, and apt at times to show his contempt by language and manner. And yet he did not fail in public utterance to respect the proprieties and conventionalities of the occasion. Because he was so strongly individualistic and outspoken in manner and word, he sometimes lacked in prudence and gave offence. But there was no taint of hypocrisy about him.

His vigorous personality imparted at times a touch of eccentricity. One could not by any means infer what position he would take on disputed issues. Thus in New York, at a moment when party feeling ran high, he created surprise and distrust by his defence of Tammany. At a meeting of the Church Congress in Providence, he manifested sympathy with some of the tenets of Christian Science. In politics he would be reckoned among the anti-imperialists. He once remarked that he had too many Scotch " burrs " in his composition to be popular.

Most prominent among his characteristics was his courage.

His courage was superb. It led him to defy deep-seated prejudices and even convictions which were esteemed sacred. Thus, when the General Convention was in session at San Francisco in 1901, he dared to speak his mind on the subject of "Apostolic Succession," to the dismay and horror of many of the delegates. His action in throwing open Trinity Church to another religious body, on the occasion of the funeral of Governor Wolcott, was a courageous one, for it meant hostility and bitter criticism. Of this he was well aware when he decided to take the step.

His coming to Boston in 1892 to succeed Phillips Brooks was a decision reached after much hesitation. In New York he had attained distinction and influence; in Boston he met obstacles in his career which he could not overcome. It may be he had lived too long in New York to be transplanted with the highest success. Although born in Massachusetts, he was not a New England man by descent. He lacked the advantage of infant baptism into the peculiar spirit of New England life. It fell to his lot in mature life, when his habits had been fixed and his reputation made elsewhere, to succeed a man whom Boston had taken to its heart as it had taken no one since the days of Channing. To find a successor to Phillips Brooks had been a serious, almost insoluble problem. In the case of Dr. Channing the gulf had been more easily bridged, for years of infirmity and gradual cessation from preaching had led to the placing of a young man by his side who had grown up under Channing's influence and was his devout disciple. A young man can easily do what to an older man is more difficult, — captivate the affections of the younger part of the congregation, winning his way into their confidence and allegiance, while those who live on the old and sacred memories are still pleased with a success in which they have no share. No one coming from New York could realize what Phillips Brooks had been to Boston, and more especially to Trinity Church. Hence the consciousness of a barrier might easily be developed, whose existence would naturally tend to limit freedom in the pulpit or to diminish the force of appeal.

Dr. Donald's success in Boston was of a quality not easily estimated on the surface. None the less was it a success and of a high order. For ten years he maintained himself

in his difficult position. His congregations were large, the number of communicants undiminished. Where he was pre-eminently successful was in his large and subtle power of sympathy. His yearning heart went out to the suffering and depression he encountered. That tendency in him to sympathize with the weaker party in the fight, to champion the unpopular cause, or befriend the unpopular man, was multiplied fourfold in its application to human misery of any kind. For that he will be long and tenderly remembered. The delicacy of his sympathy could lead him to divine situations which words could not reach or expound. From this point of view his days were filled with victories and he came to the end triumphant. His last illness was long and painful. Confined to his house, it was not good for him that he sat at his window to watch the congregations of Trinity Church as they came and went. He did not have the "one clear call" which the poet invoked as a boon from heaven. Instead there was moaning at the bar as he put out to sea. For some nine weary months he lingered, not without hopes of recovery, and at times in great depression. The end came on August 6, 1904, in his summer home at Ipswich, and in the fifty-seventh year of his age.

Rev. Dr. Edward E. Hale expressed his personal thanks for the admirable review which had been offered of Dr. Donald's life and work. He would like to say what no other person could say as he could, that Dr. Donald's work was very highly appreciated by his colleagues in the ministry in Boston of whatever communion. He addressed himself in that earnest and diligent way to all the church work of his profession so thoroughly and constantly that he was the best authority you could find as to the needs of the city in various departments of social order.

He knew what he was talking about when he discussed the place and duties of people who were engaged in the various philanthropies, and whenever you were in doubt you had no authority so reliable as Dr. Donald's.

Dr. Hale said that he thought all clergymen who knew Dr. Donald would resent any suggestion which implied that his work as a minister was in any sort second-rate or unsuccessful. On the other hand, he knew, as few men in his profession know,

what the ministry of Christ is for, and he had a remarkable adaptation for successful work in a city like ours. His attachment to children and their attachment to him was most interesting. And it will be long, indeed, before we cease to hear the grateful expressions of persons in distress who had received spiritual, intellectual, or physical relief from his thoughtfulness and his untiring kindness.

Hon. HENRY CABOT LODGE read the following paper: —

Thirty years have passed since I first met Senator Hoar, met him in the remote manner in which a young and very unimportant man meets a much older man already highly distinguished in public life. I was first associated with him in a slightly nearer way six years later, when I went as a delegate in 1880 to the Republican Convention at Chicago. That convention was probably the stormiest in our history, with the single exception of the famous one at Charleston in 1860, when the Democratic party went to pieces on the eve of the civil war. Over this deliberative body, rent with contending factions, torn with political passion, and surrounded by twelve thousand excited and shouting spectators, Mr. Hoar, the leader of our delegation, was chosen to preside. The skill, power, calmness, and never-failing presence of mind with which he discharged this difficult task, and his really brilliant success made upon me a deep impression at the moment, an impression which has not been weakened in the least by the lapse of time.

Six years later I was elected a member of Congress, and my intercourse with Mr. Hoar increased, for I saw him constantly on matters of legislation and upon business affecting the State we represented in our respective houses.

Six years later again I was chosen to the Senate and became his colleague. For the past seven years I have sat beside him in the Senate, our committee rooms adjoined, and during all my service as Senator, now extending to nearly twelve years, I have lived with him in the closest intimacy. My predecessor, Mr. Dawes, had been a life-long friend of Mr. Hoar; they had served together in the House and had been for eighteen years colleagues in the Senate. To have an old and accustomed friend suddenly replaced in this close relation by a man young enough to be his son and belonging to another generation must

have been trying in many ways. But if it was so Mr. Hoar never manifested any sign of annoyance or disappointment or even coolness. From the first day of our association in the Senate he treated me with a thoughtful kindness and a generous consideration which I can never forget. As we came to know each other better, he admitted me to his friendship and showed for me an affection of which it is not easy for me to speak. I can only say that it was fully returned and that I tried to repay in some measure his great gift to me of confidence and affection. I soon learned that beneath a manner sometimes brusque and often absent-minded and apparently indifferent was concealed one of the warmest hearts that ever beat, one of the most tender and loyal natures which it has ever been my fortune to know.

I have said thus much, perhaps too much, of my personal relations with Mr. Hoar merely to explain the difficulty under which I labor in trying to speak of him here to-day. His death is too recent, my last talk with him is too fresh in my memory, my sense of personal loss is yet too keen, to permit me to discuss his great public service adequately, still less critically. I cannot yet approach him as an historic figure and a distinguished statesman, I can only think of the man and the friend. I shall not try even to speak of his long and really great public service, of his work as a constructive statesman and law-maker, of his power in debate, or of his eloquence as displayed in speeches singularly vivid in expression, rich in apt allusions, and charged with feeling and imagination when he was deeply stirred. To give very imperfectly and very briefly the impression he made upon me as a friend and as a man is all I shall venture to attempt to-day.

Mr. Hoar came of a family which had held an assured position and whose members were people of substance and importance in England for many generations before America was known. His immigrant ancestors were closely connected in blood with the Lady Alice Lisle whose fate is one of the famous tragedies of Jeffreys' "Bloody Assize." In the seventeenth century one of Mr. Hoar's name and ancestry was President of Harvard College, and the tradition of sound learning was a heritage never lost by his descendants. On the mother's side Mr. Hoar was a grandson of Roger Sherman, a remarkable member of a family most remarkable in

successive generations in American history, and one of the most powerful and conspicuous among the great men who carried through the Revolution and founded the government of the United States. Bred up in Concord with such an ancestry and such traditions behind him, Mr. Hoar was almost of necessity a typical man. He was a New Englander, a Puritan, as modified by the passing of the centuries, from "roof of head to sole of stocking." His love for his birthplace, for his people, for Massachusetts, was a passion which never slumbered and was never dimmed; it yielded precedence only to that larger patriotism which found expression in his life-long devotion to the fortunes and the service of the United States.

Mr. Hoar was born and brought up in a period of revolution and reform. The forces set in motion by the American Revolution which wrought the revolution in France had worn themselves out under Napoleon and had been arrested at Waterloo. The period of reaction set in, — the period of the Metternichs and the Castlereaghs, of the Eldons and the Liverpools, — and a mighty effort was made, with a stupidity equalled only by the confidence with which it was undertaken, to resurrect a dead system and a vanished society. The opposing current, momentarily checked, soon began to flow again. Men recovered their breath and started in to complete the unfinished work of the French Revolution. The liberation of Greece, the monarchy of July, the English reform bill, Italian conspiracies, the aspirations of Hungary, the unrest in Poland, the verse of Byron, the dramas of Hugo and Dumas, the novels of Dickens, the experiment of Brook Farm, the transcendentalism of Concord, the antislavery crusade, were all manifestations of the restless spirit which agitated America and western Europe. Everything was called in question, and the ferment was felt in literature and religion as well as in politics and society. This new movement culminated in 1848, and out of much apparent failure came a united Italy, constitutional government in all of Europe west of Russia and Turkey, the development of the German Empire, the destruction of American slavery, and the consolidation of the United States, the most important single event of the nineteenth century.

The keynote of the whole of this great movement, literary,

religious, social, and political, was belief in the perfectibility of humanity. Give human beings a chance, free them from the artificial trammels which evil laws and pernicious customs had cast about them, and no matter what race they belonged to or what their past had been, all would be well. How much that movement, driven forward by faith in humanity, accomplished, it is not easy to estimate. But the wrongs and burdens which it swept away were known only to the generation which had endured them. The succeeding generation had never felt the hardships and oppressions which had perished, but were keenly alive to all the evils and misfortunes which survived. Hence the inevitable tendency to doubt the worth of any great movement which has come, done its work and gone, asserted itself; for there are no political or social panaceas, although mankind never ceases to look for them. To a period of enthusiasm and faith resulting in great changes and great benefits to humanity a period of scepticism and reaction almost always succeeds. The work goes on, what has been accomplished is made sure, much good is done, but the spirit of the time alters.

Mr. Hoar lived and labored and achieved in both periods, but he was always a man of '48. Experience may have shown limitations to the hopes of those days, scepticism and criticism may have assailed the beliefs then cherished, but the faith was a noble one, the beliefs, the hopes, the visions if you will, were great and generous, inspirations always to a noble conduct of life, and from those beliefs and hopes Mr. Hoar never swerved. Mr. Hoar was an idealist, and he had seen so many of the visions of his youth turned to realities that he had good reason for the robust optimism which never deserted him. Yet he was no impracticable dreamer. Macaulay, in a familiar passage, says that Cromwell's soldiers "moved to battle with the precision of machines, burning with the fanaticism of crusaders." In the Puritan character the ideal and the practical went hand in hand, and Mr. Hoar was the child of the Puritans. He was unfaltering in his ideals, he gave his life to their service, but with the idealism were joined strong practical sense, great shrewdness of judgment, a profound aversion to change merely for the sake of change, and an equally profound reverence and affection for precedent and for the principles of conduct and government which had been estab-

lished slowly and painfully through the long history of the English-speaking people.

As it was in his public, so it was in his private life. The words "plain living and high thinking" seem to serve to-day chiefly as a familiar quotation. The desire for plain living just now appears to be slight, even if high thinking is supposed to go with it. But in Mr. Hoar's youth this sentence was not a phrase but a reality, and his whole life exemplified it in practice. He said more than once that he had sacrificed to the public service every opportunity to make money, and that all he had accumulated were a few books, but there was no bitterness in the utterance. He had, in truth, a fine indifference to money. Whenever he received a large legal fee it all went, I think, in books and prints and in a quiet charity ever beyond his means, where the left hand never knew what the right hand was doing. He too, as Bishop Blougram says of Shakespeare,

> "Saved money, spent it, knew the worth of things,"

although, I think, in Mr. Hoar's case there was but little saving attempted. He neither envied riches nor despised them. He was simply indifferent to them. His heart was set on other and nobler things, and in his life he achieved his heart's desire in a measure not given to many in this world of ours.

In his relations with men and women the same combination of qualities was apparent as in his attitude upon great public questions and in regard to the duties and the obligations of the nation and the state.

Like all vigorous men who are effective in life and hold strong opinions, he had enemies with whom in their season he fought many battles, and he was a fearless antagonist who struck hard. He had a wide acquaintance, embracing practically all the men who had held high place in public life or had won distinction at the bar or in literature during nearly half a century. His judgment of the men he had known in this way was keen and shrewd, just and generous even when they had been his opponents, and yet by no means easy or over-lenient. But when he had once admitted a man within the circle of his affections he could see no fault in him and idealized him at once. Those who have read his autobiography or have talked much with him know how he would depict and praise those whom he loved or to whom he felt a personal gratitude, using all

that vividness of phrase which came so easily to him and which made what he said strike home so deeply. No doubt he lifted these friends of his heart in many cases far above the place the world would accord to them; but the mistake, if it was one, was so illumined by loyalty and generosity that one could only do homage to those beautiful qualities which it is to be hoped will never go out of fashion.

As he grew older, he grew always gentler and kinder. The caustic and ready wit was more and more replaced by the unfailing and kindly humor which had gone side by side with it through life. He buried the old conflicts, all but one, of which he left public record, because he thought it was a public duty to do so. The sharp encounters of debate were never avoided, but biting words, if they were uttered, were withdrawn quickly, and he would suffer no hostility or coolness to linger in the minds of any of his colleagues. As the shadows lengthened, the ideals of friendship, the natural tenderness of his affection, his hopes for humanity, his fervent faith in the future and the mission of the American people grew stronger and more dominant.

So the end came as he wished it to come to him, and was met by him with the courage which had gone with him through life.

In the necessary absence of Hon. James M. Barker, Rev. Dr. De Normandie read an estimate of Mr. Taft which Judge Barker had prepared.

Henry W. Taft, of Pittsfield, was made a Resident Member of the Society in the year 1894. He died at Pittsfield on September 22, 1904.

Had he lived in Boston, or in its immediate neighborhood, he would have been constant in his attendance, and would have taken an effective and valuable part in the work of the Society. But his election did not come until he had reached the age of seventy-six. During his membership he never was able to make the journey from his home to the place of meeting, and so has taken no share in the active work of the Society.

Yet no one should feel that Mr. Taft's election to membership was unfortunate. The Society has Massachusetts for its field, and it is well to have among its members some men from

the more distant sections of the State. He was generally and favorably known in Western Massachusetts, where he was thought to be of a temper, character, and standing which made him worthy of association with a learned Society, and to have a keen taste for historical subjects and research, and great familiarity with the events and men of that region. So his membership stood to his neighbors as a proof of the high aims and the usefulness of the Society itself.

Born in Sunderland, and the son of a lawyer who was town clerk and kept the town records in his home, he early acquired a love for ancient documents, and became accustomed to genealogical and historical investigations. He wrote easily and in good English. When eighteen years of age, he was brought to Lenox, in Berkshire, to edit a Whig newspaper. From that time until his death he was before the eye of the people of the county, and held rank as an accomplished, influential, and respected citizen.

Born in the year 1818, he was admitted to the bar in 1841; from 1856, when he succeeded Charles Sedgwick, until 1897, he was clerk of the courts for the county of Berkshire. His long tenure of this office brought him into close touch with the people and the officials of the county, and also gave him an intimate acquaintance with the justices of the Supreme Judicial Court and the Superior Court, and with many of the more prominent members of the bar of the State, who from time to time were called into the peculiar and important causes to which the mining and manufacturing interests of the county and its location, bordering upon three States, gave rise.

His knowledge of law was extensive and thorough, and his temper, manners, and appearance, and his fairness and sense of justice, were such as often to lead to the mention of his name as one fitted for judicial position. On at least three occasions the bar of his county, with great earnestness and unanimity, recommended him to the Governor for appointment to the bench. On each occasion his eminent fitness for such an office was conceded by the executive, although, for reasons of locality, the appointment was made from another section.

His knowledge of law and his probity and good judgment made him sought after for places of trust. He was the president and legal adviser of the Stockbridge and Pittsfield Railroad Company, the president of the Third National Bank of

Pittsfield, a vice-president of the Berkshire Life Insurance Company, a director of the Housatonic National Bank and of other important moneyed institutions, and a trustee of many large estates.

His literary ability and his general high standing in the community were attested by Williams College in the conferring upon him in the year 1859 of the honorary degree of Master of Arts. He gave great service to the library of the town of Lenox during his residence in that place, and to the Berkshire Athenæum in Pittsfield up to the time of his death. But his chief favorite among such institutions was the Library and Historical Society of his native town of Sunderland, and to this he contributed generously both in historical work and in money. He was also a member of the Antiquarian Society at Worcester.

Mr. Taft was married twice, and twice was a widower. He left no issue. During his later years his loneliness gave a tinge of tender melancholy to his thought and talk. He read and meditated deeply upon religion, and led a consistent Christian life, as a member of the Congregational Church at Lenox, and afterward a member and deacon of the First Church at Pittsfield.

In person he was tall and slender, somewhat deliberate in movement, and in manner kindly and gracious, but dignified. He had abundant humor, and a fund of folk-lore and anecdote, and his conversation was interesting and instructive, and often delightful. His written style was good, both in serious productions dealing with public events and historical subjects, and in lighter occasional pieces, which he often wrote in verse.

Had he devoted his time to literature he would have gained reputation as an author. If he had been able to take an active part in the work of this Society, it would have been decidedly to the pleasure and advantage of his fellow members. As it is, his membership in the opinion of the residents of Western Massachusetts has shed honor upon the Society.

Hon. Samuel A. Green presented in the name of Hon. William A. Courtenay, a Corresponding Member, a beautifully bound and unique volume containing numerous original documents and facsimiles relating to the History of South Carolina, together with a printed copy of the "Moultrie-

Montague Letters" for each member of the Society, and read the following letter: —

Hon. Samuel A. Green, Librarian, and the Officers and Members of the Massachusetts Historical Society:

Gentlemen, — Eighteen years ago, you did me the honor to enroll my name as a Corresponding Member of your influential Society: I expressed my thanks and high appreciation of your action at the time, but I have felt ever since, that I should like to make a more tangible acknowledgment of the distinction conferred upon me.

The people of our respective States were then much divided in opinion and conduct, and I therefore awaited a more propitious season, hoping that with the passing years there would ensue a mutual moderation of extreme views, and that a more favourable opportunity might present itself.

It seems to me such a period has been reached. The recent public utterances of your distinguished President, marked by liberality of view, and conciliatory in tone, have already elicited reciprocal responses from different parts of the South-land. He has recently been received in Charleston as an honored guest, and I have concluded that the time is opportune to gratify my earlier purpose.

These promising occurrences emphasize the truth of the poet's lines,—

"The thoughts of men are widen'd with the process of the Suns."

History is always repeating itself. In the first half of the last century, it was the habit to denounce the Tories of the Revolution in very harsh terms! They certainly had embittered the contest in our State, creating a civil war condition; yet at the end General Francis Marion, Dr. Ramsay the historian, and many prominent citizens voted against the confiscation of their property, on the ground that they were to live with us as neighbours, and that strife should then cease, with the advent of peace!

So in the address before the South Carolina Historical Society in 1858 our great citizen, the late James Louis Petigru, gave expression to this truthful and beautifully phrased thought. Mr. Bancroft, the historian, was present as a guest.

"Zeal in behalf of our country and our country's friends is commendable, and patriotism deservedly ranks among the highest virtues. But even virtue may be pushed to excess, and the narrow patriotism that fosters an overweening vanity, and is blind to all merit except its own, stands in need of the correction of reason! It is not true that all the virtue of the country was in the Whig camp in the Revolution."

Within the last two decades a statue to Cromwell has been erected in London by permission of the House of Commons! and in our country, in the same period, a trending is visible in the direction of

recognizing in General R. E. Lee a distinguished American citizen and soldier, although a Virginian! Under these changed and promising conditions of amity and good will Massachusetts and South Carolina, recognized leaders in the "old thirteen," might well become exemplars to all our States, now destined not only to live under one Government, but with a future of unrivalled promise. It would seem the part of wisdom and patriotism for each to become very tolerant.

"Be to each other's virtues very kind:
Be to each other's faults a little blind."

In this spirit I have prepared a special edition of the Moultrie-Montague correspondence, 1781, which recalls that far-off past of duty and patriotism, and some related matters, for the use of the members of your ancient and useful Society. These copies will come to you enveloped and ready for the mail.

I have culled from my Library some historical material, enough to make a folio volume, of rare and interesting records relating to our State, much of which will be new in text and illustration. The volume bears the simple title South Carolina.

I mention specially an original printed copy of the Act of Parliament, making South Carolina a Royal Colony 1719–75, and a facsimile copy of "The South-Carolina Gazette" of date June 13, 1775, containing the *Mecklenburg Declaration* of May 31, 1775, as first published — copied from the original newspaper in the Charleston Library Society's large and invaluable collection of early Carolina newspapers.

I esteem it equally a privilege and pleasure to make these gifts, and with all good wishes for the future of your Society, I remain

Yours very respectfully,

Wm. A. Courtenay.

Newry, S. C., June 28, 1904.

Dr. Green also read the following communication from Mr. Charles H. Hart, a Corresponding Member: —

Some Notes concerning John Norman, Engraver.

I have read with more than common interest Dr. Green's "Remarks on the Boston Magazine . . . and John Norman, Engraver," made before the Society at its meeting, May 12, and think that I can add some notes of importance relative to Norman.

It seems not to have been known to Dr. Green that John Norman was an engraver and publisher in Philadelphia before he worked in Boston. Whether or not he was a native of Philadelphia I do not know, as I have been able to trace him only

through his plates and publications. In my recent "Catalogue of the Engraved Portraits of Washington," published by the Grolier Club, New York, there will be found recorded no less than six plates bearing Norman's name, while two others, without his name, I ascribe to his hand. Those bearing his name are Hart 42, 43, 44, 57, 288, and 761; and those ascribed by me are Hart 41 and 45. Hart 57 will be found in the "Boston Magazine," for April, 1784. He had two partnerships in Philadelphia: "Walters & Norman," 1779, and "Norman & Bedwell," 1780.

The earliest date I have found Norman in Philadelphia is 1775, in which year he engraved a plate for "The Prussian Evolutions in Actual Engagements," by Thomas Hanson. The next year he produced the "Death of Warren," as a frontispiece to a drama, ascribed to Hugh Henry Brackenridge, and entitled "The Battle of Bunker Hill," Philadelphia, Robert Bell, 1776. The design for this plate was by "N. G.," whoever he may have been. This plate Dr. Justin Winsor, in his "Critical History" (VI. 198 *n.*), says "is held to be the earliest engraving in British America by a native artist." This is surely an unaccountable slip, with Hurd, Revere, and Copley at his elbow, to say nothing of our ignorance as to the birthplace of Norman.

In 1779 Norman engraved a frontispiece and twenty-eight folding plates for a "Treatise on Artillery," by John Muller, which he dedicated to Washington and Knox; and the following year he engraved and published a sheet, "Philadelphia Almanack for the Year of our Lord 1780," with a portrait of Washington (Hart, 42) at the head. In 1781 he engraved the title and music for "The Psalm-singer's Amusement," which was published in Boston. We may therefore safely ascribe the time of Norman's removal from Philadelphia to Boston as 1780–81.

Norman's best known plate is a portrait of Washington (Hart, 43) from an original picture in possession of his Excellency Governor Hancock,[1] which, with a companion portrait of Mrs. Washington, was "Published by John Coles, Boston, March 26th, 1782." Until within a score of years there was

[1] Is the present whereabouts known of this original portrait of Washington, that belonged to John Hancock? It was painted by Charles Willson Peale, and would be a most desirable find. Peale likewise painted a miniature of Hancock, which also would be a valuable acquisition.

but one impression known of this plate, which was owned by Mr. Charles Folsom, of Cambridge, Massachusetts. Since then several prints have been found; but so highly are they prized that a pair of the prints sold at the Carson sale in Philadelphia, January 21, 1904, for $540. Norman's most important and largest engraving that I know, measuring 29.2 by 20.8, engraved on two plates, was after Trumbull's picture of "The Battle of Bunkers Hill"; and his best plate that I have seen was a whole-length portrait of Washington (Hart, 288), after Stuart's Lansdowne picture, measuring 19.3 by 13.2. Although Norman engraved quite a number of plates, his prints, for some unaccountable reason, as the printing press multiplied impressions, are all exceedingly scarce; of some of them only single impressions being known. I hope other members may be able to add to what Dr. Green and I have told of this early American engraver.

Mr. Albert B. Hart said: —

A few days ago my excellent and long-time friend, Professor Wuarin of the University of Geneva, returning from the World's Congress at St. Louis, put in my hands a brief announcement of the proposed monument to Calvinistic Reformers to be erected at Geneva in 1909. This official statement is as follows: —

Looking forward to the fourth Centennial of the birth of Calvin, a provisional committee of Genevese citizens has been created to consider the possibility of erecting a monument at Geneva in 1909 commemorative of the Calvinistic Reform. In view of the international character which ought to be given to such a memorial, so that it may be as widespread as possible, and so that the proposed monument may take a dignified place alongside that of the statue of Luther at Worms, the provisional committee is anxious to secure the contingent support of persons interested in the project, in France, in Holland, in Hungary, and in all Anglo-Saxon countries.

[Signed] Lucien Gautier,
Auguste Chartre,
Eugène Choisy, D.D.,
Charles Borgeaud,
Gaspard Gillette,
Phillippe Amourier,
Lucien Cramer,
Provisional Genevan Committee.

The plan as described to me by Professor Wuarin is to erect a monument in which the principal figures shall be Calvin, Beza, and John Knox, but which shall also include subsidiary figures or reliefs of other great Calvinistic divines. It is impossible for a New Englander not to conceive the hope that among that body of disciples and disseminators of the doctrines of the great Genevan might be included our own Jonathan Edwards, who in the rigidity of his doctrines and the benignity of his private life much resembled his prototype. At any rate, it seems suitable that a movement to commemorate John Calvin, the spiritual and political father of New England theocracy, should be known in the Massachusetts Historical Society; and that when the general world committee is formed, some members of that Society should co-operate.

Mr. WILLIAM W. GOODWIN, in some amusing remarks, inquired whether there is any authority for the statement alluded to by the President that Mary Chilton was the first person to land on Plymouth Rock.

Hon. DANIEL H. CHAMBERLAIN, speaking extemporaneously, and referring to the introductory remarks of the President, paid a brief tribute to the members, his personal friends, who had died during the two years and a half since he had been able to attend a meeting of the Society, and expressed his satisfaction at seeing in place of them others equally well known to him. As he proposed going abroad soon for the benefit of his health, he had come here to-day from the South at a good deal of trouble and inconvenience to meet with the Society once more before a long absence. He then spoke of the discussion which had followed the publication of his paper on "The Historical Conception of the United States Constitution," read before the Society in May, 1902, adding: "I am going to observe for the benefit of my friends, Professor Channing and Professor Hart, that there has just appeared a new school history of the United States by Professor Henry Alexander White, now of Columbia, South Carolina, formerly of Washington and Lee University. In the text of that book, at the appropriate place, Professor White says in substance, — I cannot give you the exact language, I can give you the substance, — that it was undoubtedly the understanding of a great majority of the people of the United States

at the time of the adoption of the Constitution that any State could peaceably withdraw if it chose to do so. Well, now, an expression of opinion of that kind cannot easily be denied. It is the privilege of any one to express an opinion and to hold an opinion, even although he cannot support it and it is unfounded; but Professor White himself added a note to this passage, in which he says distinctly that New York and Virginia expressly reserved the right to withdraw from the Union. Now, everybody who has investigated the matter knows that in New York the precise opposite was the fact, — that propositions to adopt the Constitution *on condition* that certain amendments were adopted, and various other conditional motions were made and were finally voted down; and New York ratified the Constitution unconditionally after a long contest, in which Mr. Madison's famous letter appeared as an influential factor. In Virginia the case is not much better for Professor White; for in Virginia the most that those men did who were so strongly opposed to the adoption of the Constitution, Mr. Henry, Mr. Mason, and their followers, — the most that they did was to put on record, as preliminary to their unqualified adoption of the Constitution, the expression of certain opinions, and those opinions, it is curious to notice, do not even squint at secession. In those opinions the principal position is this, that as the powers conferred by the Constitution have been derived from *the people of the United States*, therefore, in their opinion, *the people of the United States* may withdraw them. Well, that is not State Secession, that does not hint at State Secession. Not to dwell longer on Professor White's book, in spite of books of 'original sources,' and of so-called scientific styles of writing history, that seems to be 'history as she gets writ.'"

Mr. Chamberlain then briefly discussed the so-called Negro Question, mainly on the lines of his Open Letter to the Rt. Hon. James Bryce, a copy of which had been sent to every member of the Society, saying in conclusion, "I should have been glad to have read a paper, but really my health and strength have not been equal to it, and scarcely to this little effort of speaking to you for a few minutes."

Mr. Chamberlain's remarks elicited a short discussion in which the President, Messrs. Gamaliel Bradford, Charles P.

Bowditch, Albert B. Hart, and Mr. Chamberlain took part.

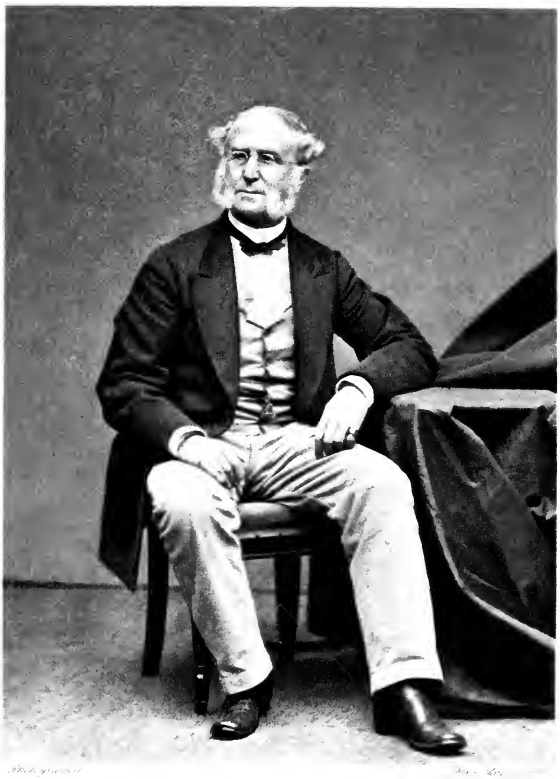
Mr. Franklin B. Sanborn said: —

I have been known through my short life as a pacificator, and I rise to introduce a more pacific subject. I hold in my hand, Sir, a remarkable document which I do not propose to present to the Historical Society at this time, but will leave it here for the examination of members. It is the first map of New Hampshire and a portion of Canada, which was made by a native of New England, and it never has been engraved. It is a manuscript original (1756) of Dr. Langdon's and Colonel Blanchard's map which afterwards took form in a large map engraved at London in 1761. This original is from the Congressional Library at Washington, where Dr. Gay has taken the trouble to photograph it, and it presents the unexplored and uninhabited portions of Vermont and Canada in a way that has never been exhibited in any other map. After the members of the Society have examined it, I hope that the Society may in some future time make an engraving of it. It relates to the matter which I introduced at a recent meeting of the Society, — the letter of Captain Folsom describing a fight with the Indians near Lake George. Colonel Blanchard, who was engaged in that campaign, joined with Dr. Langdon the year following this fight in preparing this map. It does not exist in England, I am told, and in this form has never been engraved. There is also another map made almost at the same time, but from the other side of the Canadian line, which exists in the War Department at Paris and which also has not been engraved; and if we have any Resident or Correspondent members in Paris I wish they might take the trouble to look up the other map. It was made by a gentleman who, during the French and Indian War, being a French officer serving in the campaign against Blanchard and Folsom, made a map of Canada covering a considerable portion of New England. Now I think it would be of historical interest to bring those maps together and have them engraved here. I think they are quite unknown to historical students, except those who happened to investigate this particular gentleman's career in France and in America, or those who know the scientific work of Dr. Samuel Langdon.

Mr. Josiah P. Quincy communicated the memoir of the late Edmund Quincy which he had been appointed to prepare for publication in the Proceedings.

Remarks were also made during the meeting by Rev. Dr. Edmund F. Slafter and Mr. Edward Channing.

A new serial of the Proceedings, comprising the record of the May and June meetings, was ready for distribution; and it was stated that the first volume of the selection from the Heath Papers would be ready at the November meeting.



Edmund Quincy

MEMOIR

OF

EDMUND QUINCY.

BY JOSIAH PHILLIPS QUINCY.

STANDING with Edmund Quincy before a long shelf laden with the complete works of Sir Walter Scott, I remarked that the mere manual labor of writing all these volumes seemed no slight monument to their author's perseverance and industry. To which came the reply, "Why, I have written much more than Scott ever did, — that is to say, in quantity. Only in quality it will generally be considered that he gets the better of me."

The effective work of the subject of these pages must be looked for in his writings for the press. During the most fruitful period of his life he expended such power as was in him in contributions to that "compound of rags, oil, and lampblack" which so largely directs our hurrying human current into channels of evil or of good. The desire to influence others, and thus to expand our own personality, is a common stimulus to action. But it is not the common man who, accepting the Puritan gospel of Independency, will put aside the pacific garment of compromise and deliver a message utterly distasteful to the fastidious, well-meaning, and lettered class in which he naturally belongs. Contribution by editorial writing or by correspondence to the "Anti-Slavery Standard," the "Liberator," the "Non-Resistant," the "New York Tribune," the "Albany Transcript," the "Independent," and other journals, was the serious work of Edmund Quincy. It was largely work beneath the surface in ways that were neither conspicuous nor gainful. His ready wit and reach of literary vivacity sometimes led him into expressions not acceptable to the philosopher or college

professor. They were as little palatable to the conservatism dominant among the well-to-do, and easily frightened the timid folk who think that no chance of political betterment can be worth the risk that may attend it. But the point and trenchant criticism in his writing made it eminently readable, and this, after all, is the necessary condition of effective journalism.

Edmund Quincy was born in Boston on the first day of February, 1808. His early education was such as was attainable at the Phillips Academy at Andover, — an institution which his father, judging from his own experience, thought well adapted to develop desirable qualities in his sons. But Edmund was a sensitive youth who did not take kindly to the methods of this orthodox establishment, and felt an aversion to all that was characteristic in its discipline. In his sixteenth year he passed on to Harvard College, whence he graduated in the class of 1827. Although decidedly social and even convivial in his tastes, he attained such honors as went with one of the less conspicuous parts at Commencement. He assisted in what was called "a literary discussion" — the subject being, "Changes in English Style since the Time of Milton." After graduation he did something that passed for studying law and was admitted to the bar under conditions less stringent than they are at present. He never practised the legal profession, though in one of his letters he alludes to the days when he made a pretence of doing so. "I am a reformed lawyer," he once replied to the question of a pertinacious attorney who was examining him as a witness in some civil case.

For several years Quincy seems to have led the life of a student of literature and of public affairs; he was also known as a genial man-about-town, a popular diner-out, and a valued addition to the easy-going society of his native city. He passed for the good citizen of well-balanced common sense who would hesitate to sacrifice immediate interests for soarings among the sublimities of ethics. He was not suspected of any liking for that Gordian solution of human perplexities which can see nothing in the moral universe save two sharp points of right and wrong. He married a lady of the highest worth who added all that a wife can contribute to the sunshine and uplifting of her husband's life. Nobody supposed that he would leave the comfortable fireside of tradition to encounter the tempestuous atmosphere which lies beyond it. And then came that sudden

change of outlook — that quickened sense of a work to be done — which we imperfectly represent by the word "conversion." The murder of Lovejoy exposed the nature of slavery, and keyed up to resolute action sentiments that reading and observation had cautiously developed; they suddenly stiffened to principles and united in an imperative demand.

Edmund Quincy thought it one of the privileges of his life to have come within the influence of William Lloyd Garrison. This stubborn leader in social and moral advance was well characterized by John M. Forbes as "a Radical with a substratum of common sense and practical wisdom," and by a lady quite as happily, if somewhat paradoxically, as the least Garrisonian of the Garrisonians. He accepted at their full value premises which neither State nor Church cared to deny, and pressed them to what seemed to him their necessary conclusion. He might well have taken as his motto the title of one of Robert Browne's books, "Reformation without Tarrying for Any." To relieve the Northern States from any complicity with Slavery was the work that commanded his tireless allegiance. Upon those susceptible to its influence, he exerted the magnetism of one of the rare personalities which distinctly modify the trend of human affairs. I recall the deferential tone in which Quincy was wont to utter the words, "My revered friend Mr. Garrison" — and this in circles where this friend, with all that he represented, was held in abhorrence.

Through his connection with the Abolitionists, Quincy attained the luxury of what seemed to him a strictly logical conscience. Anticipating Tolstoi, he accepted the teaching of Christ at the full value of its most stringent requirements. He would mingle no alloy of concession with the golden precepts proclaimed in the Sermon on the Mount. He demanded not only the immediate abolition of slavery and the cessation of all preparations for war, but absolute non-resistance to assaults of any nature. He denounced not only the use of alcoholic liquors, but held up as conspicuous sinners men of high consideration who offered wine at their dinner-tables. Compromise in this matter he considered impossible. Writing of a sermon preached by Theodore Parker on his return from Europe in 1844, he says: "He told the old story of there not being drunkards in the wine countries, which has been so often

repeated, and strengthened the hands of the wine-drinkers so far. I could tell him that I have seen men as drunk on hock as they could have been on new rum."

In 1839 Quincy became an editor of "The Non-Resistant," a journal which maintained that the commandment "Resist not evil," which it displayed as a motto, should be obeyed without limitation or reservation. He returned to Governor Everett his commission as justice of the peace, being unable to fulfil the oath required of the holder of that office. Many years later, in a controversy with Lucius Manlius Sargent, he thus stated his position:

"He [Mr. Sargent] mistakes my scruples as to oath-taking. I have none against taking an oath which I mean to keep — as to tell the truth or to perform a trust. My objection is to an oath which I cannot conscientiously observe. This was the reason of my resignation of the commission of the peace to which he alludes. When I came to consider that I held it under an oath to do certain things enjoined in the Constitution (the rendition of fugitive slaves, for instance) which I was deliberately resolved never to do, I had nothing for it but to resign an office which I could hold only by virtue of an oath that I felt bound to break on the first opportunity. . . . That act . . . still appears to me one of very simple morality."

Edmund Quincy felt that neither slavery nor any other wrong could exist if professed Christians were willing to accept, in their literal meaning, the precepts of their Master as given in the fifth chapter of the Gospel of St. Matthew. The philosopher may tell us that an existing social condition can be modified only by a very gradual process, and that the New Testament should be "edited" with a blue-pencil mark drawn through those requirements of Christ which will not assimilate with human nature as at present developed. And yet the value of the leader who will countenance nothing less than the ideal conception of duty has always been recognized — at least in generations succeeding his own. He asserts potentialities which he believes to be inherent in the nature of man, and — if we are indeed moving towards any "far-off divine event" — his impetus cannot be spared in the conflict of forces which hurry us on. Quincy's fervent support of the non-resistance movement may be shown by an extract from a letter bearing upon the selection of one James Boyle as an agent of

the Society. Mr. Boyle was suspected of advocating several "emancipations" which neither Abolitionists nor Non-Resistants could accept. The letter was written in 1839, and is addressed to his valued friend Miss Weston: —

"We cannot afford to be too particular as to the entire eligibility of our agents. If they are sincere Non-Resistants, fully imbued with the spirit and living it out in their lives and possessed of competent talents, it seems to me that we must gladly avail ourselves of their services, though we might wish them to be somewhat different from themselves in some particulars. What we want is a man or men who will startle the community, now dead in trespasses and sins from their living death. . . . And I am mistaken in the man if James Boyle will not sound a blast that will break the fat slumbers of the church and the iron sleep of the world and compel men to open their eyes to the light. He is perhaps the man most hated, next to Garrison, by the priests and professors of the soul-enslaving and sin-covering superstition which calls itself the religion of Christ; and be assured, my dear sister, that the most hateful and odious man, hated and feared for his fearless denunciation of sin and exposure of iniquity, is the very man to give an impulse to our holy enterprise. He will doubtless bring down upon us all manner of calumnies and slanderous misrepresentations, perhaps persecution, and make us more and more hateful for a season to the world; but is not this the baptism with which our Lord was baptized, and which He ordained for the proof of his disciples in all ages?"

It is scarcely necessary to say that the complete freedom of woman was among the causes which commanded the entire sympathy of Edmund Quincy. But his expectation of the immediate advantage that would follow the removal of feminine restrictions appears to have been moderate. In 1840 he thus mitigates what may have been the larger hopes of the estimable lady to whom his letter was addressed: "We cannot expect the generation of women, any more than of slaves, that is first emancipated to attain as a generation to the full stature of freedom. The habitudes of education, and the second nature of submission to the will of others, must keep many souls in a state of modified servitude." But while the attitude of this purifier of existing conditions in relation to non-resistance, woman suffrage, and total abstinence awakened little more than an amused smile from his former associates, his advocacy of the disunion sentiments of the Abolitionists called forth contempt and abuse. Yet his father had been

before him in proclaiming not dissimilar convictions when Southern leaders won their first great triumph by pushing aside the organic charter of our government and delegating to a passing Congress the right to fortify slavery by the creation of new states. I have elsewhere claimed that the father's protest was far-sighted and on the lines of liberty and good morals. He perceived, if dimly and imperfectly, the disasters that must follow the unconstitutional strengthening of an institution believed to be on its way to extinction when the compact which formed the union went into effect. He recognized duties to mankind which must take precedence of any territorial aggrandizement — if indeed this was to be had only at their expense.[1] Such being the case, it is not for me to blame the son for meeting the continued encroachments of slavery in the same spirit, if at this later date it seemed to him the righteous remonstrance. The Legislature of Massachusetts passed resolutions looking to a dissolution of the Union in case the Southern institution should be extended over new lands. But the interlacing of selfish interests will always bind most of us to such governmental arrangements as we find established.

Contrasting the sentiments of the Declaration of Independence with the increasing efforts to nationalize slavery, the Abolitionists proclaimed "the irrepressible conflict" afterwards recognized by Seward and Lincoln. Their language came hot with feeling; it was vivid, strong, concise. They shared the belief, put into words by John Quincy Adams, and long kept standing on the first page of the "Liberator": "The preservation, propagation, and perpetuation of slavery has been the vital and animating principle of the National Government." It seemed to them to follow, in the language of one prominent in their counsels, that "we have to deal with a fact that manifests itself in the religion, in the government, in the domestic and social life of the country, — the Slave Power." No doubt they deserved the name of "agitators" which was so liberally bestowed upon them. They stood together as a church which took for its creed the noblest postulates of morality. They could not adopt any form of political organization, being satisfied that a party might exhaust all the powers granted by the Constitution, and still

[1] See Proceedings for November, 1903.

leave triumphant and impregnable the position of those who claimed property in men. They would make no terms with what seemed to them a ghastly travesty of Republican government, in that it accorded to slaves — or at least to three-fifths of them — "representatives" whose chief business it was to tighten their bonds and extend the area of their servitude.

In the general estimation the position of the small company of men and women among whom Quincy had placed himself was far from enviable. Not only were their meetings disturbed by mobs of the turbulent and disorderly, but citizens presumably clear-headed and patriotic denounced their proceedings. Their combative ways of thinking and talking were equalled by their opponents, and on both sides blows of questionable fairness were given and received. In 1850 a man as honorable and high-minded as Francis Parkman could write in the jocose exaggeration of a familiar letter: "For my part I would see every slave knocked on the head before I would see the Union go to pieces, and would include in the sacrifice as many Abolitionists as could be conveniently brought together." Yet at a later date, referring to the civil war, Parkman declared that "a mighty people proclaimed a new faith, — that peace, wealth, ease, material progress, were not the sum and substance of all good. . . . We were a people disenthralled rising from abasement abject and insupportable." History must decide how far Garrison was justified in advocating an earlier rising from this "abasement abject and insupportable," and in declaring that a day of terrible reckoning must come if we hesitated to proclaim this "new faith." That decision it is probably too soon to anticipate. Passions and prejudices do not die with the generation whose minds they warp; they are inherited, and linger when the issues that awakened them are no longer at stake. It is always popular to enlarge upon the advantages that have come from the course that history has actually taken; we can only conjecture the greater good which might have been had success attended a conscientious effort to divert the stream into another channel. In the same year in which Parkman expressed his willingness to make summary disposition of the Abolitionists, Quincy wrote thus: —

"I have had my share of slander and abuse for a man no more conspicuous than I am in my time. I have heard that I keep two mis-

tresses . . . that I abuse my wife; that I make her do the family work; that I make her cook for twelve niggers and afterwards wait upon them at table; that I brought two negro wenches to the house and made her associate with them . . . that my character in Dedham is so bad that not a soul will trust me for a cent. I have been called the Prince of Bigots, His Anti-Slavery Highness, an aristocrat, a hyena, and a squash; and I have possessed my soul in patience."

There was another verbal missile often directed towards the writer of this letter which may be added to those above given. It is difficult at the present day, when the rigidities of theological doctrine are so relaxed, to realize the odium which in the thirties and forties of the last century went with the term "infidel." Outside the great cities, and to a large class in them, it denoted one who had put aside not only the religious attitude of mind, but the restraint of those decent customs and codes associated with good breeding. Now, while Garrison, at least in the beginning of his career, was known as a Baptist, and Phillips held to the Congregational orthodoxy which others of his family had liberally promoted, their associate was a Unitarian, with leanings, it was suspected, towards that heresy of the heretics which found its exponent in Theodore Parker. Among the sketches of his antislavery experience which Quincy would sometimes give, there was one which I set down with some reluctance because its point will be blunted to those unacquainted with the fastidious personality of its narrator. The Abolitionists, when holding meetings in towns or villages destitute of hotel accommodations, were forced to rely upon the hospitality of families who were of their way of thinking. Generally this was freely accorded, though there seems to have been difficulty upon some occasions. This was the case in a little settlement in Vermont where a worthy evangelical family expressed its willingness to receive Garrison and Phillips, but drew the line at Quincy "because he was an infidel." A persistent effort to remove this restriction was at last successful, and it was reluctantly withdrawn. When the reformers took their leave the next morning, Phillips lingered behind to express the hope that the good people had found no reason to repent their concession. "Well, no," they said, "Mr. Quincy seemed to be a nice sort of man, and we all liked him." "Why, what did you expect?" was the natural rejoinder. "What did we expect?"

repeated the matron and governing spirit of the household, as she directed her spectacles sternly upon the inquirer. "Of course we expected that he would curse and swear all the time!" As has been intimated, only those who know the impossibility of associating any vulgarity of thought or speech with this gentleman of unusual refinement can taste the full flavor of the incident as he related it.

In this brief notice of the life of Edmund Quincy it has seemed right to make evident, from his own point of view, the position in relation to unpopular reformations held by him for wellnigh the thirty years allotted to a generation. It will be sufficient to add an extract from a letter written in 1846 to one whose active assistance in antislavery work he wished to secure. There can be no better indication of the motives by which he himself was animated: —

"Pecuniary temptation the slender treasury of the slave has not to propose. The most frugal subsistence is all he can afford to those of his servants who make themselves indispensable to his cause. The ambition of power and the vanity of popular applause can hope for no gratification in this warfare. The consciousness of performing a lofty duty, of taking an active part in the only movement of permanent historical interest of this age and country, and the sympathy of the pure and generous spirits who have given themselves to it, form the only reward for which such a man has to look forward in this life. It is no holiday warfare in which we ask you to enlist. They who assault an institution like Slavery intertwined with all the civil, racial, and religious institutions of the country, must make up their minds to hard fighting and hard blows. They must expect to be thwarted and opposed by politicians and by priests, by open enemies and pretended friends, at every step. And the opposition which they must encounter will be in just proportion to the fidelity with which they discharge their duty. But the faithful champion is sure of an enduring reward in the strength and the satisfaction which such a conflict works to his own soul."

Yet it is right to say that even from a worldly point of view Quincy's position had many alleviations. He was brought into close intimacy with a few admirable men and women who were his fellow-workers. There was a sense of unity which bound together in loving brotherhood those who recognized in an unpopular belief the highest reach of civic patriotism. They were little annoyed by some grotesque specimens of

humanity who from time to time voted themselves into their fellowship. If these semi-attached members demanded with distorted logic various sorts of impossible reformations, they also demanded free speech; and this the antislavery leaders, having won the battle for themselves, were pledged to accord to others, even to the last limit of endurance. There was a freshness and buoyancy in the spirits of those devoted men and women which rendered a few discomforts easily bearable.

It is perhaps well to note that the man who appeared to his contemporaries to be pledged without discrimination to all conceivable reforms could look with doubting eyes upon some proposed betterments of our condition. The famous Brook Farm, within an easy walk of his home in Dedham, may have been too near to assume those stately proportions that atmospheric refraction sometimes lends to more distant objects. He doubted whether the application of Socialistic methods over the limited area of a few acres betokened the possibility of their general diffusion. A moral transformation of the individual might indeed carry him far beyond the economic creeds of Adam Smith, Malthus, and Ricardo, but without this personal regeneration they seemed to stand impregnable. The dreams of exceptional organisms had as yet done little to mitigate the pains of their brethren in this rude world of competitive strife. And the accidental conjunction of a few luminous human particles in West Roxbury was unlikely to disperse the clouds of custom and tradition and become an illuminative principle in the general thought. A letter written in 1840, addressed to a lady scarcely out of her teens, contains a playful prognosis of a possible outcome of the associative experiment: —

"I would think Brook Farm an excellent place for match-making, as it is certainly for flirtation — 'if ancient tales say true nor wrong those holy men.' Moonlight walks through shady groves, gathering wild flowers by starlight, gazing together into the blue vault of Heaven, poetry, music, romance, paring apples, wiping dishes, and sweeping rooms together are dangerous things to souls volatilized in the alembic of Transcendentalism. I consider it a special grace that not many of the fair communitarians are endowed with the fatal gift of beauty. Pray take care of this note or I shall have my house burnt down over my head some night."

Those who knew Edmund Quincy only after the civil war had made an end of slavery will have difficulty in realizing how he appeared to the majority of his earlier contemporaries. Believing with Garrison that the special work of the Abolitionists had come to an end, he did not care to follow Wendell Phillips in laying siege to other strongholds of conservative thought. Some claimed that this was due to inertia; others to the steadying of the human mind, which comes of experience; perhaps neither factor was entirely absent. He was satisfied with the decision of the war that a consolidated nation had replaced what he, with many intelligent publicists, had regarded as a dissoluble compact between states. He declared that he recognized the change in his own position as scarcely less agreeable than in that of the slave. He wrote to an old friend: "I am not like my excellent father in liking work for the sake of work. . . . I find it uncommonly pleasant to have nothing to do; I always did." This, however, must be interpreted to mean that he preferred to choose his own occupation rather than have it thrust upon him by untoward conditions without. A lover of leisure, he knew its value too well to allow it to degenerate into laziness; it was never synonymous with days of complacent inaction. Yet he recognized it as favoring that completeness of the individual which is not to be looked for in the rush of competitive workers where the units are necessarily dwarfed and distorted.

The years, as is their action on most of us, doubtless modified some of the conclusions of Quincy's early life. He was troubled with no passion for consistency, and realized the obstruction of certain practical facts to the speedy embodiment of ethical ideals. He probably felt that all virtue cannot be unified in a single formula, and that we must tolerate that stress of circumstance which deflects so many of our fellow pilgrims from the narrow way. Some who knew him best, and agreed with him least, had always recognized a certain sobriety of mind which lay beneath what they considered his sky-larking extravagances. Friendly relations were renewed with those from whom he had parted nearly thirty years before. Interest was revived in Harvard College and in literary associations of a respectable sort, and action was forthcoming even upon those wavering lines through which the evolutionary process must work out such good as it may have in store

for us. It seemed to involve a doubt of personal identity when the "desperate fanatic" of former years was found exchanging graceful jest or cheerful reminiscence with men from whose company he had so long been excluded. But his mind, enlarged no doubt by close contact with those of the noblest aspirations, again blended easily with youthful fellowships which can never be wholly dismissed. He was frequently found at dinner-tables from which wine was not banished, and offered very good claret at his own. Possibly it occurred to him that to gaze too intently at an evil in some of its aspects is to fail to see other aspects which might limit or modify our conclusions. No man who has lived to any purpose will feel bound to defend at sixty all the positions which he deemed impregnable at thirty.

When Edmund Quincy took his place as the Recording Secretary of this Society on the 10th of May, 1877, there seemed no reason why he should not attain the exceptional limit of human life mentioned by the Psalmist, and this without the sombre adjuncts which too often accompany it. He was easy in his mind, easy in his circumstances, and followed all the rules that experience has recommended for the maintenance of vigorous health. Yet a week later, after a day of varied occupation, he suddenly passed from a life full of interest to such unknown conditions as are appointed to follow it. In a letter addressed to an intimate friend in 1842, he gave such light as then came to him upon the great mysteries of our existence here and of its possible extension hereafter. It is good for us to know what a man believes at the flood tide of his health and activity. It is little matter what he believes — or is made to think that he believes — when the mental powers are relaxed on the verge of their extinction. Yet it is probable that later years would have made no essential change in this early creed: —

"My own theory of life and death teaches me that death is the true birth, and that our existence here is but an imperfect and difficult kind of pre-existence to which the sooner an end is put by the regular operation of the laws of the Universe the better. How I shall feel when the inevitable awaits me, I cannot tell — still less how I shall feel when it shall snatch from me any of those dearest to me. But such is my way of thinking. Death, it seems to me, should be regarded as the greatest of earthly blessings — the accomplishment of our previous state of semi-

spiritual existence. I enjoy this life highly — few more so; and few have more circumstances to make it pleasant to them; but it seems to me nothing to be compared with death as a thing to be desired. Of course I do not believe in the Calvinistic theory of rewards and punishments. I believe a man can be no more happy or miserable at the commencement of his new — his real — existence than he was at the bursting of the chrysalis. And after that it must depend upon himself whether he will be in Heaven or in Hell. This seems to me the true philosophy of life and death and futurity. All that I can learn of the nature of my own mind and of the nature of the Supreme Being seems to confirm it. The ancient Scythians were but half right in their philosophy when they wept over the newly born and rejoiced over the newly dead. Birth is a subject for joy because it is the herald of death. But these are things which I do not utter in all ears because they sound harsh and unfeeling to the many. But they are not so. This philosophy is not cold and heartless, but promotes, instead of checking, true love on earth and tender remembrance after the last separation."

Edmund Quincy did not escape the bereavements which are the common incidents of human existence. The loss of two very promising boys and of a wife who commanded his devoted attachment left ineffaceable marks upon his life. And yet that life — free from many of the troubles of temperament and circumstance which constantly threaten us — was a singularly happy one. He was a standing protest against asceticism, and his enjoyment of the little gayeties which came in his way was hearty and sincere. He was restrained by no sense of dignity from acting with his nephews some of the popular farces of the period. I well remember his exquisitely droll interpretation of certain dramatic situations as being far more effective than their customary rendering upon the stage. An occasional old-school stateliness of manner detracted nothing from his charm as a companion; he seemed singularly free from that excitable and impulsive quality of mind usually associated with radicalism.

It is generally supposed that an abounding sense of humor tends to restrain extravagance of opinion — or what may pass for such in a fleeting generation. Yet there are cases in which it imparts an exhilaration of spirit which carries the possessor past the mortifications of non-success and reaction. It contributed an asset of no small account to the meagre treasure-

chest which furnished supplies for the Garrisonian warfare. Here was a life happily exempted from those disappointments which attended less radical reformers, who fixed anxious eyes upon the political prizes which might be awarded to success. For the foresight which should go with the higher reaches of statesmanship is grievously dimmed when compelled to consider the number of votes that can be secured at the next election. Although his friend Lowell spoke of Edmund Quincy as a scholar in a sense that implied enjoyment rather than exactness, I was often struck with the minuteness of his information upon out-of-the-way subjects which happened to interest him. While he never crossed the ocean, he knew England and its social life, past and present, with wonderful accuracy. No London fog could long have hindered him in finding his way about a city whose streets were as familiar as those of his native Boston. His letters to the press — "gems of Flemish art," Lowell calls them — throw illuminating flashes upon the shifting sands of the political desert through which the American people wandered in their search for the promised land. Some future historian of a New England yet lingering in the memories of one or two of our older members, will enrich his narrative by consulting them. It was a period like no other in our history. It was the flowering time of a roseate spirit which had sprung from the rocky soil of Puritanism. Large hopes and cheerful prophesyings were in the air. The social problems which vex and baffle us to-day then seemed easy of solution. Darwin and Spencer had not yet applied their brakes to the wheels that were speedily to transport us to the Celestial City.

It is unnecessary to speak of such compositions of Quincy as stand in bound volumes upon the shelves of libraries. They are gracefully written stories, a few essays, and a life of his father which is quite up to the standard of good American biographies. There was nothing marked or eccentric in his style; it was natural and effortless; the words seem to fall of themselves into happy sequence. A certain poise of philosophic equilibrium in his later writings tends to excite reflection rather than to awaken enthusiasm. He pleasantly accounted for the success of one of his lectures from the fact that he made no attempt to leave the audience wiser or better than he found it. His addresses at public meetings — whether in behalf of total

abstinence, non-resistance, or immediate emancipation — were always weighted with that drawback.

It is easy to criticise in certain details the teachings and expectations of a man like Garrison; yet his statue is placed, where it deserves to be, on one of the finest sites in the city of Boston. For he had clear vision of the conditions without which our union of States could not continue, and reached through the votes or arms of others results to which he could not conscientiously contribute by the same means. He furnished the momentum and equipment which came to fruition through many generous lives. We blazon the Hebrew prophets upon our church windows, although the light of Biblical criticism, percolating through their colored draperies, may show that they were extreme in their denunciations and sometimes went astray in their predictions. And yet, humanly speaking, that progressive movement in religion which culminated in the birth at Bethlehem would have been impossible without them. It is easy to overvalue what we praise as the sense of perspective and proportion. However desirable within certain limits such a sense may be, our political history shows that it can pass to an excess which proves devitalizing to the individual and demoralizing to the country. The zeal with which the ultra-reformer inspires his followers does not go to waste; it is an influence from which comes what is best in succeeding days. Cautious and sceptical thinkers are important guides on the tortuous and mysterious road by which we travel to the future; but we cannot dispense with the idealist who sees the "distant gates of Eden" which gleam at the end of it, and concentrates all the force that is in him upon an effort to reach them. "A man's tribe," says Professor Shaler, "is as much of his kind as he can imaginatively unite with himself." We know the usual limits of this imagination in those born into the conventionalities of a contracted and cultivated class. There are established and well-worn channels waiting to receive such vital force as may have been accorded to them. It is not easy to leave the irresponsibility that goes with sect, or order, or caste, and assume the personal responsibility of pushing beyond their limits. That Edmund Quincy did this seems to me to constitute such claim as he may have to linger for a while in our remembrance. It was his privilege to take part in one of the inspiriting move-

ments for the moralization of Government which characterized the time in which he lived. Such efforts, even if unsuccessful, lift the aspirations of men, and — when they meet with fit coefficients in circumstances — better the hard conditions of their earthly lives.

NOVEMBER MEETING, 1904.

THE stated meeting was held on Thursday, the 10th instant, at three o'clock, P. M.; the President in the chair. Among the members present was the Right Hon. James Bryce, who was elected a Corresponding Member in 1882 and made an Honorary Member in 1896. It had been hoped that two other Honorary Members, Dr. Adolf Harnack and the Right Hon. John Morley, also would be present, but the former had returned to Germany and the latter was in Washington.

After the transaction of the usual preliminary business, the PRESIDENT said: —

On welcoming the members back from the summer recess at the last meeting, it devolved on me to report the occurrence of three vacancies in our list of Resident Members. Since that meeting the number has been increased through the death of John Summerfield Brayton. Mr. Brayton was president of the Old Colony Historical Society; and, a resident of Fall River, was representative here of Bristol County. So far as active connection with this Society was concerned, there is, in the case of Mr. Brayton, little to be said. Elected at the January meeting of 1898, he was then already seventy-two years of age. Becoming a member at so late a period of life, it was hardly to be expected he would take an active part in work of the Society; and, though frequently present at our meetings, and occasionally serving on committees appointed in the ordinary conduct of business, he never served on the Council, or acted on any standing committee. Representing, as this Society does, the entire Commonwealth, and jealously preserving its representation in the various counties, the death of one who represented a local historical body of special interest, and who was reputed to be the highest authority on the history of the region in which he lived, is an event deeply to be deplored. The vacancy thus created in our organization is one not easy to fill.

I have requested our associate, Mr. Crapo, to offer the characterization usual on these occasions.

Hon. WILLIAM W. CRAPO, having been called on, spoke in substance as follows: —

My acquaintance with Mr. Brayton began fifty years ago when we were law students in New Bedford. He was in the office of Eliot and Pitman, and I in that of Clifford and Brigham. Since that time I have known him intimately.

Mr. Brayton was the son of a moderately well-to-do farmer whose home and holdings were in the town of Swansea, near the Fall River line. He early manifested a strong desire to obtain a liberal education. Prepared in the public school and academy, he entered Brown University, from which he was graduated with honor. After graduation he taught school for a year or two, and then attended the Harvard Law School. After his admission to the bar he opened an office in Fall River and entered upon a successful law practice.

A few years later there was a vacancy in the office of Clerk of the Courts in Bristol County. This was an office greatly esteemed, since it was one of the few elective offices free from party politics. When a vacancy occurred the members of the County Bar designated the individual who in their judgment was best fitted for the duties of the office, and presented his name to the political conventions of both the leading parties, by whom it was adopted and placed upon both tickets. Mr. Brayton was thus elected and served as clerk for eight years, to the entire satisfaction of the bench and bar. Desiring a more active and varied employment, he declined further elections, returned to Fall River and resumed the practice of law in partnership with James M. Morton, now one of the Justices of the Supreme Court of the Commonwealth, under the firm name of Brayton & Morton.

In 1868 Mr. Brayton was called to take charge of the numerous business enterprises connected with the estate which had come down from Major Bradford Durfee, who at the time of his death was doubtless the wealthiest person of Fall River. Mr. Brayton accepted this trust, and administered it with such skill and signal success that he soon became the acknowledged leader of the financial and industrial affairs of the city. He was the president of a national

bank and of a trust company, a director of the Old Colony Railroad and of the Fall River steamboat line. He was president of a score or more of manufacturing and other corporations, and not simply a nominal president, but the active, working, controlling head of the organizations with which he was connected. In business methods he was exact, prompt, and reliable. He had a wonderful knowledge of details, and the ability to apply that knowledge. In disposition and practice he was eminently conservative. He was a caretaker, never speculative. The income derived from the properties he managed was large and, with the assent of the persons interested, liberal distributions from it were made for public and philanthropic purposes, amounting to many hundreds of thousands of dollars. He served five years as a member of the Governor's Council to the acceptance of the people of his district, as indicated by his repeated re-elections.

Mr. Brayton was not merely a financier and manufacturer; he was a man of scholarly attainments; he loved books; he was a student of the best literature. Brown University conferred upon him the degree of Doctor of Laws, and he was a trustee of that university as also of Amherst College.

Mr. Brayton was the president of the Old Colony Historical Society, and there were few, if any, better informed about the early history of the Plymouth Colony. He gathered up and put in permanent form, through the publication of historical editions, many of the half-forgotten incidents and events relating to the early settlement of Bristol County, and the region around Narragansett Bay. If he had been called to the Massachusetts Historical Society ten or fifteen years earlier, he would, I am sure, have made valuable contributions to the proceedings of the Society.

I regard Mr. Brayton as a fine example of what a New England boy can accomplish who starts out with high purposes and works diligently, whose methods are in accord with honorable action, and whose conduct is quickened and guided and controlled by a strict sense of duty.

Mr. Arthur Lord presented a valuable collection of letters, papers, and Revolutionary relics which had belonged to General John Thomas of the American army, and read the following paper: —

William Appleton Thomas, late of Kingston, by his will bequeathed to the Massachusetts Historical Society two bound volumes of papers containing correspondence, commissions, and other matters relating to or connected with his great-grandfather, General John Thomas, also the sword and silver-mounted pistols belonging to General Thomas, together with all other documents and written or printed matter relating to the "history of my state, country, or General Thomas, worth preserving, on condition that the Society will keep the said articles in a safe place where the public may have access to them, with reasonable restrictions made by the Society for their preservation."

I received not long ago, in behalf of the Society, from the widow of Mr. Thomas the various articles enumerated in his will, and in accordance with her request and the terms of the legacy I have transmitted them to the Society for their safe and permanent preservation. They are here upon the table, and the importance, value, and interest of some of the articles enumerated in the bequest seem to me to entitle them to more than a passing recognition.

Major-General John Thomas was a distinguished officer of the Colonial and Revolutionary wars. Born in Marshfield, in the county of Plymouth, in 1724, he died June 2, 1776, and was buried at Chamblee, on the river Sorel, near Montreal, while in command of that ill-fated expedition to Canada. The monument erected to his memory in the little town of Kingston bears this inscription: —

ERECTED TO THE MEMORY OF
JOHN THOMAS
MAJOR GENERAL: COMMANDER IN
CHIEF OF THE ARMY IN CANADA IN
THE REVOLUTIONARY WAR: WHO DIED
AT CHAMBLEE JUNE 2—1776 Æ 52

His body is buried beneath the walls of the little fort at Sorel.

General Thomas was of a family distinguished in the annals of Plymouth County long before the Revolution. He has been sometimes described as a descendant of William Thomas, the first settler of that name within the limits of the Old Colony. Among the manuscript papers of the late William

Thomas, of Plymouth, H. U. 1807, who at the time of his death was the oldest graduate of the neighboring University, I find this statement: "General John Thomas who married Hannah the daughter of Nathaniel had no known connection with the family. His ancestor came over with the first-named William, who lived with him and assumed his name, as the General himself stated it." There is no record nor traditions of his boyhood and youth. The story of his life must be mainly traced in the archives of the State and in the commissions and correspondence which have just come into the possession of the Society.

General Thomas was six feet in height, of commanding appearance, and well proportioned. A fine portrait painted by Benjamin Blyth in the possession of his descendants depicts him as a man of graceful and distinguished face and presence, and his correspondence with Washington and other distinguished officers of the Revolution shows him to be a recognized leader in the military affairs of Massachusetts, and a man of high character, great accomplishments, and noble life.

His earliest commission is one from Governor Shirley, dated March 1, 1746, authorizing him to practise "chirurgery and medicine in the army."

In accordance with the custom of his day, he studied medicine with a practising physician, Dr. Simon Tufts, of Medford, and began the practice of his profession at Green Harbor within the limits of the town of Marshfield, and during the years from 1760 to 1775, when he was not employed in military service in the province, he successfully practised his profession at Kingston, and served as second or assistant surgeon in a body of troops raised for service in Nova Scotia. On the 13th February, 1755, he was authorized, under commission from Governor Shirley, to "beat his drums anywhere within this province for enlisting volunteers for His Majesty's service"; and the record in the diary shows that, acting under that commission, he enlisted volunteers for military service in many of the towns of Plymouth Colony.

By commission of the same date he was appointed lieutenant and also surgeon's mate in the first battalion of a regiment then being raised in New England as a part of General Winslow's expedition for the removal of the Acadians. His diary, beginning April 9, 1755, and ending with the 31st day

of December of that year, was printed in 1879 in the thirty-third volume of the "New England Historical and Genealogical Register," which diary gives a partial account of the operations at Annapolis and in Acadia, in the removal of the inhabitants. The manuscript journal of General John Winslow, presented to this Society in 1798, gives the complete and exhaustive account.

In 1759 he received from Governor Pownall a commission as Colonel of Provincials, and also in 1760, and apparently commanded his regiment part of each of these years in Nova Scotia.

The gift to the Society includes his journal from January, 1748, to March, 1754, and his orderly book while at Lunenburg and Halifax in 1759, from April of that year to February, 1760, and giving the orders, paroles, and countersigns, lists of provincial troops, lists of discharge, etc., and an unbound manuscript accompanying it is the orderly book for his service at Crown Point, from August 1, 1760, to August 28 of that year, inclusive.

His service in Canada was under Sir Jeffrey Amherst, to whom, on the 8th September, 1760, the French forces surrendered at Montreal, and Canada came into the possession of England. In that campaign, as appears from the journal of Major Rogers, the commander of the rangers (this journal was printed in 1764), the right wing of Amherst's army was composed of provincials commanded by Brigadier Ruggles, a Massachusetts lawyer who was second in command of the whole army. The left wing was made up of the New Hampshire and Massachusetts troops commanded by Colonel Taylor.

The army proceeding from Crown Point to Montreal arrived there on the 8th September, when it was joined by troops from Quebec under General Murray; and in face of this imposing force the French governor surrendered his army and the town on the first summons, and the war in North America was closed.

Colonel Thomas returned to Kingston, and there remained in the practice of his profession, receiving in 1770 from Thomas Hutchinson his commission as Justice of the Peace in Plymouth County. Not only are the letters and diaries of importance, but particular interest, in these days, attaches to the regimental returns and the billeting rolls of the field, commis-

sion, and staff officers of Colonel Thomas's regiment, with the rolls of the officers and men in many of the companies therein.

The years from 1760 to 1775 were passed in the laborious duties of a practising physician in a country town, of which no record remains, and the opening of the Revolution found him in the enjoyment of domestic happiness, professional distinction, and well-earned military fame.

In February, under resolution of the Provincial Congress held at Cambridge, Colonel Thomas was appointed a general officer, and his commission is here, appointing him lieutenant-general, bearing date 19th May, 1775, signed by James Warren, president of the Massachusetts Bay. On the day of the battle of Bunker Hill the Continental Congress elected its four major-generals, — Artemas Ward, Charles Lee, Philip Schuyler, of New York, and Israel Putnam, of Connecticut, — and Horatio Gates adjutant-general with the rank of brigadier; and when the tidings of the battle reached Congress it at once proceeded to the election of eight brigadiers, all but one of whom were from New England, — Seth Pomeroy, the gunsmith of Northampton; Richard Montgomery, of New York; David Wooster, of Connecticut; William Heath, of Roxbury; Joseph Spencer, of Connecticut; John Thomas, whom Bancroft describes as "a physician of Kingston, Massachusetts, the best general officer of that colony"; John Sullivan, a lawyer of New Hampshire; and last, Nathanael Greene, of Rhode Island.

The commission of General Thomas, dated June 22, 1775, defines him as the first brigadier of the army; but the dates of the commission gave to both Pomeroy and Heath precedence. General Washington writes, in his letter to Congress from the camp at Roxbury on the 10th July, 1775: —

> "General Thomas is much esteemed and most earnestly desired to continue in the service; and as far as my opportunities have enabled me to judge, I must join the general opinion that he is an able, good officer, and his resignation would be a public loss. The postponement of him to Pomeroy and Heath, whom he has commanded, would make his continuance very difficult, and probably operate on his mind as the like circumstances did on that of Spencer."

Previously, in the same letter Washington wrote that General Spencer's disgust was so great at General Putnam's pro-

motion that "he left without visiting me or making known his intention in any respect."

It was evident that the appointment of these general officers had not corresponded with the wishes or judgment of either the civil or military authorities, that the greatest dissatisfaction existed, and that there was grave danger that the whole army would be thrown into the utmost disorder. Washington, in a letter to General Schuyler of the 28th July, says: "The arrangement of the general officers in Massachusetts and Connecticut has been very unpopular, indeed, I may say injudicious. It is returned to Congress for further consideration, and has much retarded my plan of discipline."

It is probable that immediately upon his appointment in February as a brigadier-general General Thomas entered upon the discharge of the duties given him by the Committee of Safety on the 29th April, 1775, for seizing Governor Hutchinson's papers; and May 1st he was directed by the Committee to "stop the trunks in Colonel Taylor's hands until this committee send some proper persons to examine their contents."

In a letter dated at the camp at Roxbury, May 1, 1775, General Thomas reports to the committee as follows: —

"GENTLEMEN, — In consequence of directions from the Committee of Safety, I sent an officer on whom I could depend to the house of Gov. Hutchinson, who brought off all the papers he could find in that house; but I was informed that Col. Taylor of Milton had lately taken several trunks out of the governor's house, not many days ago, in order to secure them from being plundered. I immediately sent another messenger to Col. Taylor for all the papers that belonged to Gov. Hutchinson which he had in his possession. He sent me for answer, he did not know of any papers that belonged to said Hutchinson, but just now comes to inform me that there are several trunks in his house, which he took as aforesaid, which he expects will be sent for very soon. I suspect there may be papers in said trunks, and if it is thought proper 2 or 3 judicious persons be sent to break open and search for papers, he will give them his assistance. This, gentlemen, is submitted to the consideration of the honorable committee."

Upon the resignation of Thomas and his withdrawal from the army most strenuous efforts were made by men prominent both in civil and military life to secure its reconsideration. The correspondence which followed and which is preserved in the autograph letters found in this collection, contains much

of singular interest. On the 22d July, 1775, by order of the House of Representatives at Watertown, James Warren, the Speaker, writes to General Thomas: —

"This House approving of your services in the station you were appointed to in the army by the Congress of this Colony — embrace this opportunity to express their sense of them, and at the same time to desire your continuance with the army, if you shall judge you can do it without impropriety till the final determination of the Continental Congress shall be known with regard to the appointment of general officers. We assure you that the justice of this House will be engaged to make you an adequate compensation for your services. We have such intelligence as affords us confidence to suppose, that a few days will determine whether any such provision shall be made for you as is consistent with your honor to accept, and shall give encouragement for you to remain in the service."

On the 23d July General Lee, at that time second major-general in the army, and then believed to be a gallant and efficient officer of ripe military experience and of undoubted loyalty to the patriot cause, writes: —

"It is with the greatest concern that I have heard of your intention to quit the service of your country at a crisis when men of merit can be so ill spared. You think yourself not justly dealt with in the appointments of the Continental Congress. I am quite of the same opinion, but is this a time, sir, when the liberties of your country, the fate of posterity, the rights of mankind are at stake, to indulge our resentments for any ill treatment we may have received as individuals?

"I have myself, sir, full as great, perhaps greater, reason to complain than yourself. I have passed through the highest ranks, in some of the most respectable services of Europe. According then to modern etiquette notions of a soldier's honor and delicacy, I ought to consider at least the preferment given to Gen. Ward over me as the highest indignity, but I thought it my duty as a citizen and asserter of liberty, to waive every consideration.

"On this principle, although a major-general of five years standing and not a native of America, I consented to serve under Gen. Ward, because I was taught to think that the concession would be grateful to his countrymen, and I flatter myself that the concession has done me credit in the eye of the world, and can you, sir, born in this very country which a banditti of ministerial assassins are now attempting utterly to destroy with sword, fire and famine, abandon the defence of her, because you have been personally ill used?

"For God Almighty's sake, for the sake of everything that is dear, and ought to be dear to you, for the sake of your country, of mankind, and let me add, of your own reputation, discard such sentiments. Consider well the dreadful mischief such a pernicious example may occasion; consider well whether such a proceeding may not bring down upon your head the contempt and abhorrence of that community which has hitherto most justly held you in the highest respect.

"I beg you will excuse the liberty I take in thus addressing you; and ascribe it to its true motive — a zeal for the public good, and the great regard I have for your personal self, and that you will believe me to be most sincerely yours."

On the same day General Washington writes a most interesting letter, extracts from which I will read, showing the patriotism, good sense, and clear judgment of Washington.

CAMBRIDGE, July 23, 1775.

SIR, — The retirement of a general officer, possessing the confidence of his country and the army, at so critical a period, appears to me to be big with fatal consequences, both to the public cause and his own reputation. While it is unexecuted, I think it my duty to make this last effort to prevent it; and after suggesting those reasons which occur to me against your resignation, your own virtue and good sense must decide upon it. In the usual contests of empire, and ambition, the conscience of a soldier has so little share that he may very properly insist upon his claims of rank and extend his pretensions even to punctilio: but in such a cause as this, while the object is neither glory nor extent of territory, but a defence of all that is dear and valuable in life, surely every post ought to be deemed honorable in which a man can serve his country. What matter of triumph will it afford to our enemies, that in less than one month a spirit of discord should show itself in the highest ranks of the army, not to be extinguished by anything less than a total desertion of duty? How little reason shall we have to boast of American union, of patriotism, if at such a time and in such a cause, smaller and partial consideration cannot give way to the great and general interest? These remarks not only affect you as a member of the great American body, but as an inhabitant of Massachusetts Bay, your own province, and the other colonies have a peculiar and unquestionable claim to your services; and, in my opinion, you cannot refuse them without relinquishing in some degree that character for public virtue and honor which you have hitherto supported. If our cause is just, it ought to be supported; but where shall it find support if gentlemen of merit and experience, unable to conquer the prejudices of a competition, withdraw themselves in an hour of danger? I admit, sir, that

your claims and services have not had due respect — it is by no means a singular case: worthy men of all nations and countries have had reason to make the same complaint; but they did not for this abandon the public cause — they nobly stifled the dictates of resentment and made their enemies ashamed of their injustice. And can America show no such instances of magnanimity? For the sake of your bleeding country, your devoted province, your charter right, and by the memory of those brave men who have already fell in this great cause, I conjure you to banish from your mind every suggestion of anger and disappointment; your country will do ample justice to your merits; they already do it by the sorrow and regret expressed on the occasion, and the sacrifice you are called to make will, in the judgment of every good man and lover of his country, do you more real honor than the most distinguished victory.

You possess the confidence and affection of the troops of this province particularly; many of them are not capable of judging the propriety and reason of your conduct; should they esteem themselves authorized by your example to leave the service, the consequences may be fatal and irretrievable. There is reason to fear it from the personal attachments of the men to their officers and the obligations that are supposed to arise from these attachments. But, sir, the other colonies have also their claim upon you, not only as a native of America but an inhabitant of this province. They have made common cause with it, they have sacrificed their trade, loaded themselves with taxes, and are ready to spill their blood in vindication of the rights of Massachusetts Bay, while all the security and profit of a neutrality has been offered them. But no arts or temptation could seduce them from your side, and leave you a prey to a cruel and perfidious ministry. Sure, these reflections must have some weight with a mind as generous and considerate as yours.

How will you be able to answer it to your country and your own conscience if the step you are about to take should lead to a division of the army or the loss and ruin of America be ascribed to measures which your councils and conduct could have prevented? Before it is too late, I entreat, sir, you would weigh well the greatness of the state, and upon how much smaller circumstances the fate of empires has depended. Of your own honor and reputation you are the best and only judge; but allow me to say that a people contending for life and liberty are seldom disposed to look with a favorable eye upon either men or measures whose passions, interests or consequences will clash with those inestimable objects. As to myself, sir, be assured that I shall with pleasure do all in my power to make your situation both easy and honorable, and that the sentiments here expressed flow from a clear opinion that your duty to your country, your posterity and yourself, most explicitly

require your continuance in the service. The order and rank of the commissions is under the consideration of the Continental Congress, whose determination will be received in a few days. It may argue a want of respect to that august body not to wait the decision; but at all events I shall flatter myself that these reasons, with others which your own good judgment will suggest, will strengthen your mind against those impressions which are incident to humanity and laudable, to a certain degree; and that the result will be your resolution to assist your country in this day of distress. That you may reap the full reward of honor and public esteem which such a conduct deserves, is the sincere wish of

Sir, your very obed. & most humble servant,

G°. WASHINGTON.

Gen. JOHN THOMAS.

And the field officers of the several regiments belonging to the camp in Roxbury addressed the General as follows: —

Your appointment as Lieut. General by the Provincial Congress in consequence of which you took the supreme command in this camp, gave singular satisfaction to all acquainted with your character, both on account of your inflexible attachment to the liberties of your country, and your knowledge and experience in military movements; and to your vigilance, prudence and skilful management is to be ascribed in a great measure that order and regularity for which this camp has been celebrated, and which are essential requisites to the very being of an army. To these important services you have the purest incense to a great and good man, the unfamed thanks of the officers and soldiers under your immediate command, as well as of every friend to his country, and the rights of mankind. We are penetrated with the deepest concern that by an unfortunate concurrence of events an arraignment is made which leads you to think that you cannot continue in the army consistent with those delicate and refined sentiments of honor, which are peculiarly and fitly characteristic of the soldier. We would not solicit you to do anything derogatory to your reputation or the rank you have formerly sustained; but as no man has so much endeared himself to the regiments which compose your brigade as yourself, we earnestly request that you would assume the command of it; — that vast dignity and consequence of the cause we are contending for may be more than a counterpoise to other considerations of what nature soever, that your country may still be advantaged by your ability; and though mistakes are entailed to humanity, we doubt not the gratitude and justice of your countrymen will reward you in some degree adequate to your merits.

After all, we submit the matter to your honor's decision, assuring

you that although we shall part with you with regret, yet we will demean ourselves as becomes a soldier. In behalf of the within mentioned officers.

THEO. COTTON, *President.*

ROXBURY, July 25, 1775.

Such appeals from such sources addressed to an officer so gallant and a patriot so ardent as General Thomas could not fail of success, and he reconsidered his intention to resign.

The Continental army about Boston spread in a semicircle from the west end of Dorchester to Malden, a distance of some nine miles. Thomas commanded at Roxbury two regiments of Connecticut, and nine of Massachusetts men, stationed in the strong works planned by Knox and Waters, and which covered and secured that end of the line. During the winter of 1775–76 he remained in the command of the army at Roxbury, and as soon as the spring opened Washington took immediate measures to gain possession of the Heights of Dorchester, which would give to the American army the command of Boston and of a large part of the British forces. On the night of the 4th March, 1776, the advance guard of one hundred men went forward, followed by a working force of twelve hundred men with carts and entrenching tools, under command of Thomas, whose great merit, as Bancroft says, on this occasion "is more to be remembered from the shortness of his career." At three in the morning the working party was relieved, but the work continued with such energy that in a single night strong redoubts crowned the hills. The foot of the ridge was protected by an abattis, and shortly after daybreak on the morning of the 5th the British officers beheld with astonishment and dismay the work which had sprung up in a night. On the 9th of March a strong detachment took possession of Nook Hill, which commanded Boston Neck, and in spite of the British fire successfully constructed there a fort and compelled the embarkation of the British army.

The patriot army and the citizens from every height and along the shores of the bay watched with delight and enthusiasm the departing fleet bearing the British army and Loyalist exiles down the bay, never to return. The deliverance of Boston had been secured. The work assigned to Thomas had been performed with ability and success; he had won for himself a recognized position as a soldier and the confidence of

Washington and the army. With the evacuation of Boston the attention of Washington was directed to other and distant fields.

The condition of affairs in Canada was most discouraging. Of the gallant force which had been led by Arnold with superhuman difficulty to the invasion of Canada, there remained only about four hundred encamped near Quebec. Montgomery had fallen, the relations with the Indians had become alarming, the regiments sent forward to Canada had been depleted by sickness and desertion. The Canadian peasantry and clergy, believing themselves to be outraged, neglected, and ill used, were opposed to the American advance and waiting their opportunity. The question presented itself, To what general officer should be entrusted the responsible command of the army in Canada? General Schuyler had refused the service; General Lee was in the South; General Putnam, in the opinion of Washington, was incompetent to have separate command at that distance; and the choice fell upon Thomas, who, in the opinion of Washington, was of all available American officers best fitted for the discharge of that important, dangerous, and almost hopeless undertaking.

On the 6th of March Thomas was appointed a major-general in the Continental Army. On the 1st of May he arrived near Quebec. He found that the entire command, including officers, consisted of only nineteen hundred men. Of these nine hundred were sick, and three hundred of the remainder were soldiers whose enlistments had expired and who had refused duty. The store of powder did not contain more than one hundred and fifty pounds, and but six days' provisions remained. Upon the 5th he called a council of war, and it was unanimously agreed that it was necessary to retreat, and that the sick should be removed at once to Three Rivers and the cannon embarked as soon as possible. The next day the ships, which had arrived the evening before, landed their troops, and while the Americans were embarking their sick and their artillery, the garrison of Quebec made a sally from the fort and attacked the American guard. Thomas was obliged to direct a retreat to Deschambeault, forty-eight miles above Quebec, and the army retreating in confusion left behind their provisions, cannon, ammunition, and many of their sick. At Deschambeault a council of war

was again held, and again it was determined that the army should not attempt to make a stand until it had reached Sorel and the army retreated to that place.

The American commissioners, Chase and Carroll, reported that it was "their firm and unanimous opinion that it was better to immediately withdraw the army from Canada." On the 15th May the committee in a letter to General Thomas say: "We are greatly concerned for your health. It will be almost impossible for you to escape catching the small pox, and therefore we wish you would immediately inoculate."

From his headquarters at Sorel on the 20th May, 1776, General Thomas writes to the commissioners in part: —

"In order truly to judge of my situation you will be pleased to figure to yourselves a retreating army disheartened by unavoidable misfortunes, destitute of almost every necessity to render their lives comfortable or even tolerable, sick, and as they think wholly neglected, no probable prospect of a speedy relief; if you will please, Gentlemen, to reflect on these circumstances for a moment you will not be surprised when you are informed that there are great murmurings and complaints among the soldiers."

This letter, which has been burned in some places, is not readily decipherable, but sufficient has been read to show the deplorable condition of the army under Thomas in Canada. The predictions of the commissioners in their letter to Thomas were unhappily shortly to be fulfilled. On the following day, May 21, General Thomas writes his last official letter, and probably the last letter of his life. It is dated Headquarters, Sorel, May 21, 1776, and is addressed to General Wooster: —

"I am at this critical period unfortunately seized with the small pox, the safety of the army makes it necessary that I should be removed from camp, and shall be for some time unable to discharge the duties of my office; the command in consequence devolves on you, and as the main body of the army is here you will undoubtedly think it necessary to repair to this place as soon as possible."

His disease was of the malignant form. Some days before his death he was entirely blind, and on the 2d of June, 1776, he died. He is buried not far from the fort which still stands near the banks of the river.

He married Hannah Thomas, daughter of Nathaniel Thomas,

of Plymouth, who died in 1819 at the advanced age of eighty-eight years. He left a daughter and two sons.

Mr. THOMAS L. LIVERMORE read a paper on the relative numbers enlisted in the Union and Confederate armies in the Rebellion: —

The Numbers in the Confederate Army, 1861–1865.[1]

The question of the numbers in the Confederate army during our Civil War has lately been revived by a despatch from Washington to the newspapers which opens with this statement: "Cazenove G. Lee, a recognized authority on Civil War statistics, has prepared an interesting table showing the enormous numerical superiority of the Northern army over that of the South during the Civil War. Mr. Lee's figures show that the total enlistment in the Northern army was 2,778,304 against 600,000 in the Confederate army."[2]

During the nearly forty years since the close of the war no official summary by the Confederate authorities of the number of men in their army has ever come to light in the mass of Confederate records in the government's hands, and, as far as I know, no trace of such a summary has appeared in any of the Southern publications relating to the war, of which there have been many. Soon after the war General Cooper, the former adjutant-general of the Confederate army, stated[3] that no such summary existed. If one was ever made upon paper, it is probable that, for reasons of state or through military caution, it was destroyed, as were the Conscript records which Major Duffield of Virginia said he destroyed by order.[4] Fortunately some records of this kind escaped destruction which afford very important evidence towards the determination of the question of numbers.

It is certain that the recorded enlistments in the North with its 22,500,000 people were at least double the amount of men

[1] Abbreviations: So. Hist. Soc. = Southern Historical Society Papers; N. & L. = Numbers and Losses in the Civil War in America, 1901; M. & D. = Messages and Documents of War Department, 1865–1866; Reg. Losses = Regimental Losses in the Civil War, by William F. Fox; W. R. = War of the Rebellion, a compilation of the official records of the Union and Confederate Armies.

[2] Boston Evening Transcript, June 4, 1904.

[3] 7 So. Hist. Soc. 200.

[4] The Century, March, 1892, p. 792.

which the seceding States possibly could have sent into the field from its population of 5,500,000 whites. The reputation of Southerners for valor and steadfastness might have rested safely on this fact in view of the resolute and formidable front which they presented to the Union armies during four years of incessant war, in which they fought one hundred and forty-three engagements worthy to be called battles, besides many hundreds of smaller ones.[1] In sixty-three of these battles there were killed and wounded a thousand men or more on one side or the other, and in most of them on each side, and in some of them many thousands.[2] The Confederates endured the loss of 301 killed and wounded per thousand engaged at Gettysburg, and from 200 to 296 per thousand in fifteen other battles.[3] During the war at least 94,000 Confederates all told were killed or mortally wounded.[4] There is record[5] of 59,297 who died of disease, and a comparison with the mortality from disease in the Union army gives the best reasons for increasing this number to 164,000.[6]

In many battles the Confederates were outnumbered, but in these battles they often were victorious. They were seldom routed, and when in retreat they were seldom unwilling to turn against the enemy when pressing too close; when they turned they were as dangerous as when they were the pursuers.

Notwithstanding their admirable record as fighting men, our Southern brethren, with the instinct which leads a gallant people to attribute their defeat to overwhelming force, not content with any general statement of disparity in numbers, began, soon after the war, and for many years continued, to estimate their force at 600,000.

It is fair to say that this estimate was first published by a Northern writer, said to be William Swinton,[7] a correspondent of the New York "Tribune," in a letter published in that journal for June 26, 1867. Many of the Confederate records had been secured in the capture of Richmond,[8] and the writer of the letter, stating that he has examined the returns of the armies among the records, gives the numbers shown by them

[1] Phisterer's Statistical Record, 213, 214.
[2] N. & L. 141.
[3] N. & L. 142.
[4] Reg. Losses, 22, 47, 554.
[5] 1 M. & D. 111, 141.
[6] N. & L. 8.
[7] 2 So. Hist. Soc 16.
[8] 130 W. R. VI.

at various dates, and says that he judges that there were in all 600,000 men in the Confederate army. He gives no figures as the basis of this judgment, and unless 600,000 is a typographical error, it is evident that the judgment is a hasty one thrown out in the rapid work of a writer for a daily paper and worthy to be considered only as an impression of the writer, and not as a deliberate statement of a fact for history. To justify this criticism it is necessary only to refer to the fact that the letter gives 550,000 as the number of men shown on the rolls of the Confederate armies in August, 1864, after all the losses by death, discharge, and desertion during three years of hard service and fierce fighting. On this basis the estimate of a total of 600,000 would leave for the preceding losses and the subsequent additions to the armies, only 50,000, which, from Confederate records, we know to be considerably less than the losses from death and discharge in 1861 and 1862,[1] and losses in battle January 1, 1863, to August, 1864.

In 1870 General Early, referring to this letter of Swinton's, wrote:[2] "This estimate is very nearly correct, and fully covers our whole strength from first to last." In the same year Alexander H. Stephens in his "War between the States" said: "The Federal records show that they had, from first to last, over 2,600,000 men in the service, while the Confederates all told in like manner could not have much, if any, exceeded 600,000."[3] In 1891 General Marcus J. Wright, formerly of the Confederate service, and who since 1878 had been an agent of the United States War Department for the collection of Confederate archives,[4] wrote[5] that "the best estimate yet made" was 600,000 to 700,000. Neither of these writers professed to have obtained his estimate from returns or original data. In 1869[6] and again in 1890[7] Dr. Joseph Jones, of New Orleans, a gentleman prominent in the association of the survivors of the Confederate army, published his estimate of 600,000 based on statistics of casualties from General Cooper above mentioned, and Confederate hospital returns for 1861 and 1862. He characterizes the force which he estimates variously, as the "available force capable of service in the

[1] N. & L. 3.
[2] 2 So. Hist. Soc. 20.
[3] Vol. ii. p. 630.
[4] 130 W. R. X.
[5] 19 So. Hist. Soc. 254.
[6] 7 *Ibid.* 289.
[7] 20 *Ibid.* 114 *et seq.*

field," the force "engaged," "actively engaged," and "actually engaged." This is loose writing. It is not possible to fit all these adjectives to a single force, for many who were "available for" or "capable of" service in the field, might not be engaged in actual service of any kind, and men might be "engaged" in service either "actively" or "actually" without joining their commands or standing in line of battle. We therefore are left in doubt whether Dr. Jones's estimate excludes those who being able-bodied did not go to the front or join their commands, or excludes all who were not actually engaged in battle. It is difficult to avoid the impression that being without sufficient official statistics to make an exact statement Dr. Jones manifests his own uncertainty of mind in these varying terms. In the book to which I refer later I have given reasons for considerably raising his estimate, from ascertained figures and mathematical ratios, which I will not repeat here. General Thruston, a Tennesseean who served in the Union army, in an instructive article on the numbers of the two armies[1] writes as follows: "Dr. Jones' 600,000 estimate is engraved upon enduring monuments in the South commemorating the Confederacy, in contrast with the engraved figures of the large official Federal enrolment. The contrasting figures are printed upon the certificates of membership in the Confederate societies. The Southern orators usually repeat the contrasting numbers at meetings and dedications in honor of the Confederate soldiers. They are printed in the Southern school books, and thus a misleading historical error in figures, as I believe, originally possibly a just 'approximate calculation' of the available force of the Confederacy has been repeated until its original significance and meaning have been changed and forgotten." Whether Dr. Jones would have accepted the palliation of his error contained in the sentence last quoted seems questionable. It is certainly high time to correct it before the process of crystallizing it into history goes farther.

The great publication of the "Official Records of the Union and Confederate Armies" in the "War of the Rebellion" in 130 volumes, commonly termed the "War Records," which was finished in 1901, having in 1894 brought the history and returns of the armies down to the end of 1864, then afforded

[1] The Olympian Magazine, Nov. 1903.

the world data for making a computation of the Confederate numbers. I then began the investigations which resulted in the volume "Numbers and Losses in the Civil War in America, 1861–1865," published in 1900. The conclusions of this book as to the Confederate numbers were as follows: —

Dr. Jones' statistics supplemented by the incomplete Confederate returns and muster rolls give	781,192 [1]
Deaths by disease in the ratio prevailing in the Union armies would increase this total to	885,000 [2]
Which should be increased by the indeterminate number of unrecorded desertions for about 2 years.[3]	
The number of able-bodied men within the military age in the seceding States was	1,141,000 [4]
To which is to be added for exempts who entered the service	98,000 [5]
There were organizations equal to 849 regiments in the Confederate army, computed as originally containing 971 per regiment	824,379 [6]
And recruits recorded	154,285 [6]
Besides irregular organizations computed at	98,000 [6]
	1,076,664
(This should be increased by the number of unrecorded recruits.)	
Another computation at an average total strength of 1330 per regiment increases this number to	1,227,000.[6]

The average strength shown in the returns of the Confederate armies in January of each year, July, 1861, and March, 1862, was 55 per cent of that of the Union armies.[7]

There were 2,898,304 enlistments in the Union army and navy for terms varying from two weeks to three years, which, reduced to three-year terms equals 1,556,678.[8] The Confederate levies, reduced to three-year terms, are computed to have been equivalent to 1,082,119.[9] In 48 large battles there were 111.74 killed and wounded per thousand engaged in the Union armies and 150.57 in the Confederate armies.[10] Applying these ratios to the ratio of the total killed and wounded and the enlistments in the Union army, and the

[1] N. & L. 7.
[2] *Ibid.* 7.
[3] *Ibid.* 5, 7.
[4] *Ibid.* 22.
[5] *Ibid.* 36.
[6] *Ibid.* 28, 35, 36, 39.
[7] *Ibid.* p. 47.
[8] *Ibid.* 50, M. & D. 70.
[9] N. & L. 61.
[10] *Ibid.* 65.

result to the computed total killed and wounded in the Confederate army, the result is 986,565 men serving for three years in the Confederate army.

To return now to Mr. Lee's estimate. Soon after the despatch above referred to appeared, I wrote to Mr. Lee, calling his attention to the difference between the estimate attributed to him and those in my book, and asked him for the source from which he derived his figures. He replied, "As soon as I have time I expect to answer my numerous critics, and it will give me pleasure to send you a copy which will contain the information you want." Since then a copy of the Confederate Handbook by Colonel Robert C. Wood, C. S. A., published in New Orleans in 1900, has come to my hands, and I find in it the identical figures attributed in this despatch to Mr. Lee, — not only those for the numbers in the two armies, but also those given in the table referred to, for the number of whites from the North and South, negroes, Indians, Germans, Irish, British Americans, English, and men of other nationalities in the Northern army, the respective aggregates of the two armies, May 1, 1865, the number from each side who were confined and who died in the prisons of the other side, and the numbers in battle in the Seven Days, Antietam, Chancellorsville, Fredericksburg, Gettysburg, Chickamauga, and the Wilderness, excepting that 316,424 given in the despatch for the Southern whites in the Union army erroneously includes 32,617 negroes [1] and excludes 1290 men from Florida.[2] It is a fair inference that the Confederate Handbook was the source of Mr. Lee's figures, and as the lapse of time sometimes gives historical weight to uncontradicted error, I will now, without waiting for the promised reply from Mr. Lee, endeavor to test the estimate of the Confederate Handbook by ascertained facts.

The author of the Confederate Handbook, in dedicating it to his comrades of the Confederate army, declares one of its purposes to be "to present also, in convenient form, reliable material for the use of the future historian," and in his Introduction, after reciting the obstructions which he has found "to obtaining results that could be presented as reliable," in "the conflicting statements and conclusions of those

[1] Reg. Losses, 532–533.
[2] Confederate Handbook, 24.

who claim to be authorities," the discrepancies between official reports, the lack of rolls and returns from a number of Confederate States, and "the evident sectional animus that inspired many writers on military affairs during the war," he says that he has excluded "all matter of doubtful value" and utilized "only such data and authorities as could be accepted without question." Coming then to the question of numbers (p. 28), after reference to the unreliability of the military records made up immediately after the war by Southern writers and statisticians, who "were led by pride and zeal to claim the largest possible contribution of troops to the Confederate army," he says: "It was only after earnest, conscientious, and impartial men engaged in the preparation of the history of the Civil War that a correct estimate of the enrolled strength of the Confederate army was ascertained. Every report, field return, muster roll, letter, publication, or other document that bore upon the question of numbers, received minute and careful attention. The history of every military organization was traced from the date of its muster into service up to the close of the war. Tables were carefully made to show the number of men that had served different terms of enlistment, in many instances in different commands, — and to show also the number of men that re-entered the service after having been discharged by wounds or other disability, accurate note was taken of the commands that were consolidated, or that, having been disbanded, after a short term of enlistment, were reorganized under a different number or title. The purpose of this work was to prevent the same man, by re-enlistment, transfer, or any other cause, from appearing as more than one unit in the estimated strength of the Confederate army." The result of a work of this kind, thoroughly performed, would be a monumental authority, and, after reading this description of it, the reader looks down the page in confident expectation of finding the results of it set forth; but no further reference to it is made, and an anticlimax is completed in the next paragraph, as follows: "With all the data that could be secured from reliable sources the claim can be safely made that the entire enrolled strength of the Confederate army did not exceed 600,000 men, and that of this number never more than two thirds (400,000) men were ever available for active duty in the field." Against this showing

the author sets out 2,778,304 as the number enrolled in Federal service.

It is difficult to believe that if the author of the Confederate Handbook had found in the report of such an investigation data which indisputably supported his conclusions, he would not have quoted them, or at least have informed his readers where they could be found. A work such as is described in the passage above quoted could not have been carried on anywhere but in the War Records Office at Washington. The only work resembling it, of which I have found mention, is a compilation made from the official roster of the Confederate armies at various times, showing the organizations kept in almost continuous service in the field by the different States, which is cited by Colonel Fox in his "Regimental Losses" (p. 552) and which, it is presumed, was made by the officials of the War Records Office. He says that this compilation shows 764 regiments of ten companies each, and excludes short-term organizations and disbanded and consolidated regiments, as also militia, reserves, home guards, local defence regiments, and separate companies, which rendered efficient service at times. The returns of several hundred Confederate regiments early in the war gave an average strength of 971 to a regiment,[1] which with the 152,000[2] recruits of which there is a record would account for about 900,000 men. I have above referred to additional organizations which, save errors, increase this number to about 1,100,000 and possibly to 1,227,000.

The Confederate Handbook (p. 23) deduces 898,184 as the number of the military population of the Southern States by deducting from 1,064,193, shown by the census of 1860 to have been between the ages of 18 and 45, 86,009 for those who entered the Federal service, and 80,000 as the estimated number of Southern Union men who did not take up arms. It errs by including the military population of West Virginia (about 80,000), and by not including those who joined the Confederate army from the Border States (fully equal to those who entered the Union army from the Southern States) and 285,000 who came within the military age from 1860 to 1865.[3] With these corrections made, the number within the military age was 1,269,000, from which should be deducted 20,000 for

[1] N. & L. 34.
[2] *Ibid.* 35.
[3] *Ibid.* 21.

the natural death-rate and 105,000 for exempts,[1] leaving 1,144,000. It does not follow that all these men were drawn into service, but under authority of the Act of the Confederate Congress of April 16, 1862, President Davis declared all men within the military age enrolled in the service; and the Act of February 1, 1864, without even the formality of a draft, declared all white men between 17 and 50 to be in service. In view of these drastic measures, the equally drastic measures for sweeping the men in the ranks, and the minute reports[2] of the Conscript Bureau upon the number obtained and the number exempted, it seems probable that the estimate of the Confederate Handbook that the 80,000 which it gives as the number of the Union men who escaped service is large enough to cover all — whether sympathizers with the Union or not — who escaped; if it is large enough, then on the census as a basis the result is that somewhat over a million men of military age entered the Confederate military service, besides about 98,000 over and under military age in irregular organizations.[2]

The contention of Southern writers that only 600,000 men were enrolled in the Confederate army, against 2,778,000 in the Union army, if it prevailed, would, as has been pointed out by several writers,[3] greatly disparage the zeal of the Southern people in the cause of secession, for it would prove that out of a military population equal to 22 per cent of that of the North, enlarged to a greater per cent by increasing the age limits to 17 and 50, the Southern States could put into the field a force no greater than 22 per cent of that enlisted in the North, although they had a population of 3,650,000 negroes to work for them at home and release able-bodied men for the service. Comparison of the number of enlistments, such as is ordinarily made by Southern writers, is misleading, because the enlistments in the Union army were in excess of the number of its individuals to a far greater extent than in the Confederate army. The Confederate soldiers who early in the war enlisted for a year had their term extended for three years without their assent, by the mere operation of a law passed for the purpose, and under the operation of the later con-

[1] N. & L. 22.

[2] *Ibid.* 10–20, 36.

[3] See pamphlet by Professor Loughbridge, 1897, and General Thruston in the "Olympian," November, 1903.

script laws all enlistments were, in effect, for the term of the war, so that it was only in the small force of irregular organizations that re-enlistments were common. But in the Union army no volunteer served beyond three years without voluntarily re-enlisting; many enlisted for terms ranging from two weeks to two years, and only 1,100,000 enlisted for three years in time to serve through their term before the war ended. There were, in fact, 2,898,304 army and navy enlistments.[1] Colonel Fox, a military statistician of high authority, states that 300,000 enlisted so near the close of the war that few, if any, of them saw service, and expresses the view that there were not over 2,000,000 individuals actually in service.[2] There is record of over 200,000 re-enlistments in veteran organizations.[3] A regiment which I commanded, which was raised in the levy of 385,000 men under the call of July 18, 1864, had among its 961 members 188 who had served before in the Civil War. Some of them had enlisted several times. It is entirely probable that the same history attached to many in every regiment of that levy of 1864. If the comparison is made between the Union army reduced to 2,300,000 individuals, the ratio of the supposed 600,000 Confederates is less than 2 per cent above the ratio between the population of the North and South (white), and it is below the ratio between the military population of the North, including Border States and Territories (4,500,000 in 1860), and that of the South enlarged to include all between 17 and 50 (about 1,070,000).[4] In this connection General Thruston remarks that in Ohio, where the population was about one-third of that of the seceding States (42 per cent of their white population), there were 313,000 enlistments, and that Indiana sent to the war 74 per cent of her men of military age.[5]

Conclusive evidence on the question under discussion, which escaped my notice in writing the book to which I have referred, is the record in the Census of 1890 that there were then living 432,020 Confederate, and 980,724 Union, soldiers and sailors. This affords a basis for the mathematical deduction that 600,000 was far less than the Confederate numbers during the war. Simple proportion proves that if 980,724 survived out of 2,300,000 Union men, 432,020 were the sur-

[1] N. & L. 51. [2] Reg. Losses, 527. [3] N. & L. 1.
[4] *Ibid.* 21. [5] The Olympian, Nov. 1903.

vivors of over 1,000,000, assuming that the rate of mortality among the Confederates was the same as it was in the Union army; but it is certain that the rate of mortality in battle was greater among the Confederates, and considering the greater limit of age, the fewer exemptions from service for physical defects, and the greater hardships and inferior food, clothing, and medical care in the Confederate army, it is no less certain that its rate of mortality from disease was much greater.

Again, assuming the total number of individuals on the Union rolls during the war to have been 2,300,000, and deducting 360,000 for the recorded deaths during the war,[1] the survivors at the end of the war were 1,940,000, of whom there remained 980,274 in 1890, according to the census. With the same rate of mortality among the Confederates after the war, the 432,000 surviving in 1890 were the remainder of 850,000 surviving at the end of the war. Adding to this number 94,000[2] for the recorded deaths in battle and from wounds, 59,000[3] for the recorded deaths from disease, and 105,000 for computed deaths from unrecorded deaths from disease,[4] a total of 1,100,000 is reached, which would be increased with any increase assumed in the calculation in the number on the Union rolls.

An important piece of evidence which escaped notice in my book appears in Vol. 129 of the War Records (pp. 102, 103). This is a tabular statement enclosed in a report to the Confederate Conscript Bureau, dated January 25, 1864, which discloses 566,456 volunteers and conscripts in service up to that time from the States of Virginia, North Carolina, South Carolina, Georgia, Alabama, and Mississippi. To this number are to be added the recruits from these six States after January, 1864, about 98,000 in the irregular organizations, and the 296 regiments from Arkansas, Florida, Kentucky, Louisiana, Missouri, Maryland, Tennessee, and Texas, which the compilation above referred to as cited by Colonel Fox assigns to these States out of 764 regiments which served continuously,[5] or 409 according to my list.[6]

[1] N. & L. 8.

[2] *Ibid.* 5.

[3] *Ibid.* 6, 8. The Confederate Handbook agrees that the number was much greater than that recorded (p. 30).

[4] N. & L. 5, 9.

[5] Reg. Losses, 552. See also So. Hist. Soc., vols. 1, 2, 3.

[6] N. & L. 55.

In conclusion, I will compare the numbers given in the Confederate Handbook for some of the large battles with the published returns. It is to be remembered that the number reported on the returns of the Union armies as "present for duty" include all not detailed for duty away from their commands whether combatants or not, who are on duty in the line, in the hospitals, with the trains or elsewhere, whereas none can be called "effective" in military phrase who are not combatants whose duty is in the line of battle, and that the Confederate returns designated as effective only combatants, and sometimes only those who carried rifle or musket.

The Confederate Handbook's table for the Seven Days' battles gives 115,249 as the Union force, whereas the "effectives" did not exceed 91,169,[1] and gives 60,639 as the Confederate force, which were only the effectives in the army July 20 after the battles, without Jackson's Corps, which was engaged. Correctly stated, the effectives were 95,481.[1]

For Antietam the Union force is raised from 75,316, the number actually engaged, to 87,164, and the number given for the Confederate force is that shown on the returns after the battle, without the 13,724 lost in the battle, and without the cavalry, which was engaged.[2]

For Chancellorsville the Union force is stated at the sum of those present for duty, plus the cavalry and other troops which were not on the field, and the First Corps, which arrived there after the battle was over. It is thus raised from the actual 97,382 to 131,661.[3]

At Gettysburg the Union force is raised from 88,000[4] to 95,000, and the Confederate is reduced from about 75,000 to 62,000, perhaps by excluding the cavalry, which was present.

At Chickamauga the Union force is stated at 65,000, apparently including the "present for duty" in all arms, without deducting absent regiments, as against the actual 58,000 "effectives," and the Confederate force at 44,000 as against 66,326 actually engaged, apparently excluding Longstreet's Corps and the cavalry, which were engaged.[5]

At the Wilderness the Union army of 101,895 effectives is

[1] N. & L. 86.
[2] *Ibid.* 92.
[3] *Ibid.* 98 (the Third Corps should be read into note 4 on page here cited).
[4] *Ibid.* 102; 128 W. R. 615.
[5] N. & L. 105, 106.

increased to 141,160.[1] This enormous error apparently arises from including all borne on the returns, whether on duty or not, in all organizations of the army, as "present," whether in the battle or not.

These discrepancies are so great as to warrant distrust in any of the figures given in the Confederate Handbook without verification by the reference to their source.

Mr. Albert B. Hart, speaking extemporaneously at considerable length, and from a strictly historical point of view, described the changes in public opinion at the South in the last fifty years.

Mr. Charles K. Bolton said: —

Some two years ago Mr. Louis Dyer, now of Oxford, showed Professor Wendell a copy of the Memoirs of Joseph Chessborough Dyer, a Boston merchant long a resident of England. Though written in old age, the Memoirs seemed to Mr. Wendell a remarkable record of the temper general among the generation which came to its maturity during the first thirty years of our national independence. He obtained permission to place a copy of this manuscript on the shelves of the Historical Society's Library, and had hoped to speak here to-day. In the absence of Mr. Wendell it is my pleasure to act for him, and to present the volume to the Society, in the name of Mr. Louis Dyer.

The Memoirs, covering above two hundred pages, were written in 1868, three years before the author's death. A biographical sketch, prepared by his kinsman Mr. Dyer, of Oxford, and illustrated by several genealogical charts, has been bound with the manuscript. This sketch forms such an admirable introduction to the work that I hope the editor of our Proceedings may be able to include it in the records of this meeting. It reads: —

"Joseph Chessborough Dyer descended from William Dyer and Mary his wife, who met her death on Boston Common in 1660, from Roger Williams, from Mrs. Anne Hutchinson, also familiar in Massachusetts history, and from Captain Edward Hutchinson, slain in ambush near Marlborough, Massachusetts, at the opening of the War with King

[1] N. & L. 110; 67 W. R. 198, 915.

Philip. Three pedigrees, appended, will shew several details known to me.

"The best account of J. C. Dyer is by Mr. C. W. Sutton, Librarian of the Public Library at Manchester, in Mr. Sidney Lee's Dictionary of National Biography. The weak point of Mr. Sutton's life is the earlier and American part, for which he depended upon the notice contributed by J. C. Dyer's son, Nathaniel, to the Centenary publication of the Manchester Literary and Philosophical Society, edited in 1883 by R. Angus Smith, F.R.S., &c. There, but not in Mr. Sutton's life, we read much of 'Noosenec Manor, R. I., an estate held under grant of Charles II. to Edward Dyer,' the fact being that Edward Dyer so completely impoverished himself at South Kingston, R. I., that he was supported in old age by his son Samuel Dyer II., who had been forced to take up a farm in the sandy wastes of West Greenwich, — nicknamed Noose Neck Hill. Samuel II. bequeathed Noose Neck Hill to his son George II., in whose house J. C. Dyer was brought up after his mother's death from fright and exposure at the bombardment of New London. J. C. Dyer was born at Stonington Point, Connecticut [November 15, 1780] and died at Manchester [England, May 3], 1871. He therefore must be mistaken in supposing himself to have been present when his uncle George was contriving ways and means for the war of Independence with Generals Greene, Knox, and others. He was early put to work with Mr. Sands, a watchmaker at Wickford, R. I. His mechanical bent led to his devising an unsinkable boat at the age of fourteen. At the age of sixteen J. C. Dyer entered the business-house of M. de Nancrède (presumably) in Boston, importer of English goods. Soon Dyer and a partner, Eddy, succeeded the Frenchman, who returned to France. Their flourishing affairs in Boston gradually dwindled upon the passing of non-intercourse measures under Jefferson. In 1811 Dyer left America finally, and married a daughter of Somerset Jones, Esq. of Gower Street, London, whose acquaintance he began upon the first of several business trips made between 1802 and 1811. These English journeyings are described in the Memoirs now laid before the Society. During these years, 1802–1811, while he was living partly in London and partly in America, at Boston, he was constantly engrossed by new American inventions and patents. In 1809 Mr. Perkins sent him his plans for steel-engraving, and a patent was taken out in their joint names. A good engraved portrait of J. C. Dyer is still obtainable in London, done by Edward Scriven, 'historical engraver to His Majesty,' after a painting by J. Austin. In 1810 Dyer patented fur-shearing, and nail-making machines. In 1811 came the carding-engine, and also in that year Fulton sent him the drawings and specification of his steamboat. Mr. Angus Smith, in the centenary publication just

mentioned, reprints J. C. Dyer's paper on steam-navigation, in which he relates the difficulties and discouragements encountered. The general reply to proposals made by him in 1811 was, according to J. C. Dyer's own account, 'We don't doubt the success of steamboats in the large American rivers and inlets from the sea, but they will never answer in our (comparatively) small rivers and crowded harbours.' It was not until 1815, nearly five years after these abortive negotiations in London, that the 'Margery' steamed from Glasgow, by the Forth and Clyde Canal, and finally down the coast into the Thames.

"Dyer settled after his marriage in Camden Town, then a rural village, where he lived until 1816. He appears to have lived for a brief time in Birmingham, and apparently while living there was engaged with Mr. William Tudor in founding the North American Review. J. C. Dyer's son appears to think that his father wrote many unsigned articles in the North American, but the account of the matter given in the Memoirs now laid before the Society, does not bear out this contention. After settling at Manchester, J. C. Dyer established extensive and successful machine-making works, and also was concerned in the founding of the Manchester Guardian in 1821. In 1825 he patented for himself and Danforth the roving-frame, a most important invention of Danforth's, greatly simplified and perfected by Dyer.

"In 1830 J. C. Dyer was one of the Manchester delegates who bore contributions to Paris for the relief of those wounded in the July revolution, and also congratulations to Louis Philippe on his accession. He aided in establishing the Royal Institution and the Mechanics Institution at Manchester, and was one of the original directors of the ill-fated bank of Manchester, by the failure of which Mr. Sutton declares him to have lost £98,000. Next Dyer occupied himself with Parliamentary reform and with the Liverpool and Manchester railway, and in later years was closely associated with the Anti-Corn-Law League both in its formation and operation. In 1832 he established machine-making works at Gamaches, in the Somme Department, France. The mismanagement of these finally culminated in their collapse at the time of the revolution of 1848; this was not separated by a long interval from the Manchester Bank failure, and the result was complete ruin and impoverishment for J. C. Dyer, whose machine-making works passed into the hands of Messrs. Parr, Curtis, & Madeley. Dyer's last twenty-odd years of life were spent chiefly in writing. He was a frequenter of the Literary and Philosophical Society, where his memory still lingers. The autobiographical memoir submitted to the Society is undoubtedly a production of his latest years, and exhibits him when old age and reverses had dulled somewhat the keenness of his mind, and left him at an intellectual disadvantage."

The Memoirs give us invaluable pictures, first of life in New York State, over one hundred years ago; then for the first decade of the nineteenth century an intimate view of Boston society, the enterprises of the day, the dancing parties, and their gay or stately figures of that not very distant past. Finally, there are the changing scenes in three quarters of a century of English life, a period of wonderful development in the ways of trade, the expansion of credit, the conveniences of travel, and the evolution of power-driven machinery. Mr. Dyer gauged the future well, introduced new mechanical devices after struggling against prejudice and indifference, saw his dreams come true, and made a fortune; later he lost most of his wealth, and settled down to a dignified and honorable old age, busy with his memories, his philosophy, and his friends. It was an era of political unrest as well as of economic change, an era well pictured in these pages.

There are many striking passages in the Memoirs, a description of Nelson's fleet at sea, on its return from pursuit of the French and Spanish ships in the West Indies, of Shakespeare's Stratford home in 1805, of a robber hanging in chains on a lonely heath, and of visits to famous people. He describes in detail the important inventions of the time, and gives the history of progress in the construction of canals, steamships, and railways. These subjects, taken at random, show the varied interest and value of the manuscript which now comes into the possession of the Society.

Remarks elicited by the various communications were made by the PRESIDENT and Messrs. MOORFIELD STOREY, GAMALIEL BRADFORD, and CHARLES K. BOLTON.

Mr. Charles C. Smith communicated, in behalf of the Hon. JAMES M. BARKER, the memoir of the late Paul A. Chadbourne which he had been appointed to prepare for publication in the Proceedings.

A new volume of the Collections — the fourth volume of the seventh series — was ready for delivery at this meeting.

MEMOIR

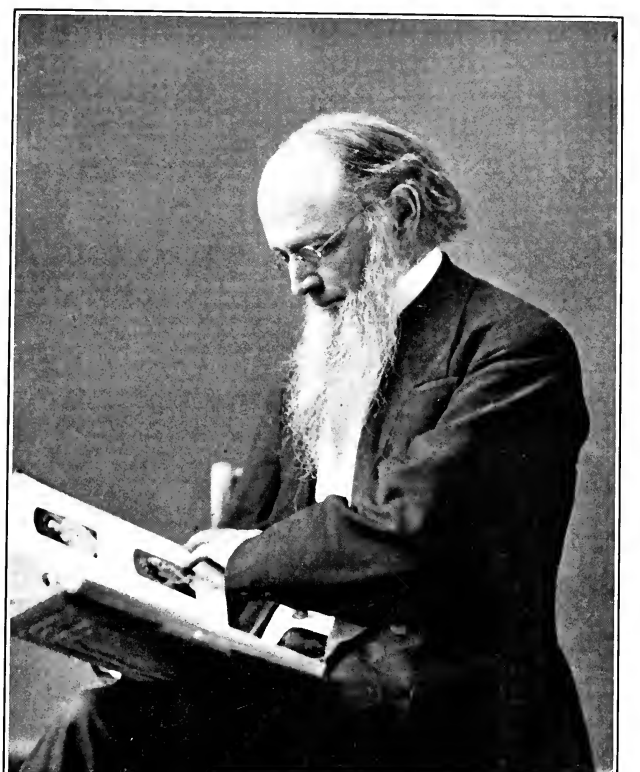
OF

PAUL ANSEL CHADBOURNE.

BY JAMES M. BARKER.

President Chadbourne was possessed of many talents. He folded none of them in a napkin, nor buried any of them in the ground, but kept all in use.

A distinguished clergyman who has served upon the Board of Trustees of Williams College from the year 1866 said of him: "Dr. Chadbourne, when as yet in the dew of his youth, began to build on virtue as the basis of true greatness. To be whatever man could be seemed to have been in the range of his young ambition." Yet this all-embracing ambition was governed by a conscience derived from eight generations of New England ancestors. Energetic, forceful, of an activity somewhat restless, he became a student of theology and was licensed to preach; a student of medicine with the right to practise as a physician; a professor at the same time in two colleges and two medical institutions; a lecturer before the Lowell Institute, the Smithsonian Institution, several colleges for men and women, and at the farmers' institutes of the State Board of Agriculture of Massachusetts; and he was four times a college president, holding that position first at the Massachusetts Agricultural College, next at the University of Wisconsin, then at Williams College, and finally again at the Massachusetts Agricultural College. He was twice a member of the Massachusetts Senate, attended national conventions of the Republican party, once as a delegate at large, and was a presidential elector. He was actively interested in the manufacture of cotton goods and in the exploration and development of mines. Besides all this he found time to initiate and conduct scientific explorations with his college students in



P. A. Chadbourne

Florida, Greenland, Iceland, and Norway. He edited several important publications and left a number of published books, founded upon his lectures delivered upon natural theology, natural history, and kindred subjects. President Mark Hopkins said of him: "Doing many things, he has done them all well, and in some he has gained high distinction; and if, in doing many things, he has changed often, it always has been for the better, and so is no evidence that he is changeful."

Born at North Berwick, Maine, on October 21, 1823, he was elected a Resident Member of this Society on June 10, 1880. He had no passion for purely historical research, and his many duties kept him from much participation in the work of the Society. His death occurred on February 23, 1883, and was announced by President Winthrop at the meeting of March 8, 1883.

He was the eldest child of Isaiah Chadbourne and Pandora Dennett, and was of the ninth generation of descendants of William Chadbourne who came from England in the year 1634, and settled in Maine at the place which now is South Berwick. The names of Shapleigh, Treworgy, Bolles, Hobbs, and Morrill are among those of his maternal ancestors.

Upon the death of his mother, when he was thirteen years of age, he entered the household of Isaiah Frye, a Quaker at North Berwick, who was a farmer and a maker of ploughs and a carpenter. In this family young Chadbourne remained for three years, working on the farm in summer and in the shop in winter.

On Thanksgiving Day in 1839, at the age of sixteen, he went into the family of Mark Noble, of Great Falls, New Hampshire, and into his employment in a drug business having a considerable wholesale trade.

In the same family was a youth who now is a Resident Member of this Society, John Noble. At Great Falls Chadbourne not only had the opportunity to learn his employer's business, but to attend school and take part in the social life of an active and thriving village. He remained in the family of Mr. Noble for three years, during which, besides learning the drug business and attending school, he read, studied, was active in the Young Men's Debating Club, the Village Lyceum, and all that was going on, and also wrote for the village newspaper. Having determined to acquire a thorough education,

he then went to Phillips Academy at Exeter, supporting himself while preparing for college by copying documents.

Entering Williams College as a Sophomore, he graduated there at the head of the class of 1848.

At his graduation it was his purpose to become a minister of the gospel. While pursuing his theological studies he was a tutor at Williams College and principal of high schools or academies in New Jersey, New Hampshire, and Connecticut. At this period a serious pulmonary trouble of which he never was cured made it certain that he could not lead the life of a settled minister of the gospel. In 1853 he accepted his first professorship, that of Botany at Williams College, where afterwards he filled the chairs of Chemistry and of Natural History. His other professorships were at Bowdoin, at the Maine Medical Institution, and at the Berkshire Medical College. His first scientific expedition was to Newfoundland in 1855, the second to Florida in 1857. In 1859 he made geological studies in Greenland, Iceland, Sweden, Norway, and Denmark, being then received as a member of the Royal Society of Northern Antiquaries at Copenhagen. His last scientific expedition was to Greenland in 1861. His lectures at the Smithsonian Institution were given in 1859 and published in 1860, and were upon the relations of natural history to intellect, to taste, to wealth, and to religion. His Lowell Institute lectures were published in 1867 under the title of "Natural Theology, or Nature and the Bible."

His first cotton-manufacturing enterprise was in 1865, and in that year and the following one came his service in the Massachusetts Senate. While a Senator he was chosen president of the then recently created Agricultural College at Amherst. While holding that office he decided the location and settled the plans of the college buildings and devised the course of study. His administration as president of the State University of Wisconsin was exceedingly creditable, and paved the way for his succession in 1872 to Mark Hopkins as president of Williams College. This position he filled until 1881. Upon his inauguration the address in behalf of the alumni was delivered by James A. Garfield, who said: "We will not ask you to bend the bow of our Ulysses. Let it here remain unbent forever as the sacred symbol and trophy of victories achieved. But we do expect you to confront the future with

its new and difficult problems in the spirit of fearlessness and truth, conservative to save all the garnered wisdom which experience has purchased and courageous to adopt and lead all true reforms, and to work manfully by the light of each new rising sun."

Dr. Chadbourne's inaugural address is a good specimen of his literary style and of his trend of thought. After asserting that "a well-developed, healthy brain is the most practical thing in the universe, if it be not the only practical thing," and that the work of the college is "the high cultivation of man as a foundation and preparation for any pursuit, . . . to so develop the whole man that no professional or special study shall destroy that symmetry of character which is a comfort to its possessor and a blessing to the world," he says: "Every study in the college course must feel something of that energy and progressive spirit that are throbbing in the world without. If it can have infused into it no such living power, it is a dead branch to be pruned with a relentless hand. The college . . . is to train every faculty of man, . . . to show the student what he can enjoy, give him power over himself, increase every capacity for work or enjoyment, and do her part in fitting him for the work which he ought to do to-day in every relation of life. She must give him sound instruction, the latest results and the best methods of study and investigation. She must give him time to study, and time for independent thought; remove every hindrance, and give instructors competent to guide him and worthy of his imitation." A characteristic portion of the address is a denunciation of the fallacy that to make a college rich is to make it aristocratic. "Our colleges . . . are the most democratic institutions in our land, and their equalizing power among the people is in proportion to the means they possess. In their present condition they do more to break down the distinctions which birth and wealth give, and to start young men on the same plane in life, than all other agencies combined. . . . When the rich man gives his thousands as a permanent endowment for college education, he has done so much to give every man a fair chance for the struggle in life. He has done so much to break up the artificial distinctions which arise from accident, so much to put the poor on equality of opportunity with the rich. . . . The American college in aim and organization is thoroughly

democratic, and may challenge comparison with any other agency as a promoter and safeguard of republican liberty and equality."

The bent of mind which had drawn him very strongly toward the ministry as a profession finds forcible illustration in these sentences: "But above all things this college will seek in the gospel of Christ the greatest educational influence it can wield. . . . Religion, as an educating power, can take no secondary place. The doors of the college are open to all, it seeks to proselyte to no sect; but the principles of the gospel which brought Christ to earth, it still believes in as the great agency which the world needs as a guiding power, which every individual needs as his support and guide."

The same tendency to religious feeling and thought is found in all of Dr. Chadbourne's published works. Besides those already enumerated are "Instinct in Animals and Man"; his baccalaureate sermons from 1873 to 1877, published under the title "The Strength of Men and Stability of Nations"; and certain funeral sermons bearing the title "The Hope of the Righteous." A lifelike and interesting view of his personality can be gathered from his talks and addresses at farmers' institutes and at meetings of the State Board of Agriculture, as given in the publications of that Board. They show great familiarity with practical details, quick and accurate observation along many lines, ready wit and humor, and the clear direct speech which made him a most efficient teacher.

Dr. Chadbourne was rather short of stature and slender, but with a head of great beauty and dignity. His manners were impulsive, but courteous. Governing and instructing youth tended to make him something of a disciplinarian; while travel, companionship with his students in his scientific expeditions, and wide intercourse with men in business and in politics made him affable and gracious. He was an intimate friend of President Garfield, and probably would have received from him a diplomatic appointment had the President lived.

Dr. Chadbourne was married, on October 9, 1850, to Elizabeth Sawyer Page, of Exeter, New Hampshire. She survived him, dying on November 9, 1889. They had two daughters and one son. One daughter died in 1856, and the other daughter and the son are now living. His own death came from a hemorrhage of the lung at New York after an illness of

ten days. He started for the city to attend the funeral of a friend and was taken ill during the journey. His last hours were a remarkable instance of old-fashioned Christian faith. A graphic account of them is to be found in the columns of the "New York Observer."

His greatest single service was to Williams College, where he was a student three years, a tutor one year, a professor fourteen years, and president nine years. The college obituary record for the year 1883 said of him: "As a teacher Dr. Chadbourne had few equals. Ex-President Hopkins in one sentence sums up this quality: 'He knew, as few men do, both how to teach and what to teach; by that I mean that he knew how in the multiplicity of studies to proportion them so as to give unity of impression and a feeling of completeness.' There was great personal magnetism, an earnestness of eye and voice that somewhat moved even the indifferent and totally captured the faithful student. The opportunity of study had been to him so precious that he could not understand the spirit of those who wasted it."

His title of Doctor was justified by the degree of M.D. conferred by the Berkshire Medical College in 1859; of LL.D. by Williams College in 1868; of D.D. by Amherst College in 1872; and of D.C.L. by Oxford University in 1874.

His body rests in the College Cemetery at Williamstown.

His successor in the Presidency of Williams College writes of him these words: "The enthusiasm of his love for nature, his power of exciting that love in others, his hold on the unseen realities, his courage in attacking obstacles, and his bearing in overcoming them made up a sturdy manhood that glows brighter for all who knew him as they gain larger experience of life."

DECEMBER MEETING, 1904.

The stated meeting was held on Thursday, the 8th instant, at three o'clock, P. M.; the President in the chair.

The record of the last meeting was read and approved, and reports were presented by the Librarian, the Cabinet-Keeper, and the Corresponding Secretary.

Charles Homer Haskins, Ph.D., Professor of History in Harvard University, was elected a Resident Member; and Sir Spencer Walpole, K.C.B., author of a "History of England," was elected a Corresponding Member.

It was voted to transfer the name of Goldwin Smith, D.C.L., of Toronto, Canada, from the list of Corresponding Members to that of Honorary Members.

In view of the expected absence of the President, the following committees were appointed to report at the Annual Meeting: To nominate officers, Messrs. William R. Thayer, Thornton K. Lothrop, and Samuel S. Shaw; to examine the Treasurer's accounts, Messrs. Thomas Minns and Charles H. Dalton; to examine the Library and Cabinet, Messrs. Charles K. Bolton, Archibald Cary Coolidge, and Melville M. Bigelow.

The President then said: —

Again — and the frequent recurrence of the duty is painful — it devolves on me to announce the loss of one of our associates. The Rev. Samuel E. Herrick, since the March meeting of 1891 a Resident Member of the Society, died at his place of residence in this city, Sunday last, the 4th instant. At the time of his death the name of Dr. Herrick stood twentieth in order of seniority on our roll, — well in the first quarter, — a fact suggestive of the rapid process of change and renewal the Society undergoes. Dr. Ellis was President at the time of Dr. Herrick's election, having then filled the position for close upon six years; his predecessor for thirty years, Mr. Winthrop, still attended our meetings; and, distinctly recalling another generation, he and Dr. Ellis at the meeting in question united in paying tribute to their cotemporary, George

Bancroft, one who came in with the century, just then dead. The names of George Bancroft, Robert C. Winthrop, and George E. Ellis thus brought into conjunction have already a far-away sound. The death just announced is a reminder of the years that have elapsed since the youngest of the three declared Dr. Herrick one of our number. Since then he has been a constant and welcome attendant at our meetings.

Already a man of fifty when elected into the Society, and in no way specially identified with historical writing or research, Dr. Herrick never served on the Council, nor was he frequent as a contributor to our Proceedings. Indeed, twice only did he, I think, take part therein. In May, 1895, he offered a characterization of Hamilton A. Hill, whose death was then announced; and, in February, 1897, he contributed a paper on Melanchthon. In 1893 he was appointed chairman of the Committee to examine the Library and Cabinet, and as such drew up and submitted a report noticeable for its suggestiveness. The memoir of Hamilton A. Hill also, included in our Proceedings for November, 1896 (second series, vol. xi. pp. 188–196), was prepared by him.

In accordance with our practice, I will now call upon Dr. McKenzie, a professional brother and an intimate and greatly valued personal friend of Dr. Herrick, to offer a characterization of him.

Rev. Dr. ALEXANDER MCKENZIE spoke in substance as follows: —

I am grateful for the privilege of saying a few words regarding my friend whose death has just been announced. This would not be easy at any time, but it is made more difficult for me by reason of his recent and unexpected removal from us. We are old friends. For close upon forty years we have lived and worked side by side in the ministry of one church. In many ways we have been associated, until it is hard to think of going on without his companionship. There was an especial bond of union in that each was the son of a sailor, the master of a whaling ship. We have been proud of our descent, and have sometimes boasted that we were the only ministers here who knew what a gam is. The word has a rude sound in this room, but it has its place in the lexicon,

and to one who understands it is the synonym of a good-natured fellowship.

Mr. Herrick graduated from Amherst College in the same year in which I graduated at Harvard. He studied at the Princeton Theological Seminary, where sound doctrine was taught. Soon after his ordination he was made the minister of a church in Chelsea, from which he was transferred thirty-four years ago to the Mount Vernon Church in this city, as the associate of Rev. Dr. Kirk, one of the most influential clergymen of New England. The relation between the two ministers was like that of father and son. After Dr. Kirk's death Mr. Herrick remained the pastor. When the moving of the congregation made it necessary, a new house of worship was erected, and there this ministry was continued. He was in his place in the church last Sunday. He had been obliged by the state of his health to resign the chief duties of the pastoral office, and his last official act was to read the letter of acceptance from the man who had been chosen, with his full approval, as his associate and successor. He went to his home after the service, and in the evening his work here reached its end, and he was called to higher, perhaps not better, service. The time of his graduation had come when no one looked for it, yet the life was singularly complete and fully rounded off. A little before the last meeting of the Society I found him looking over the shelves of books in the adjoining room. We had a few pleasant words, but they meant more than we knew. "I get tired," he said; "I get tired." It was a strange condition for him. "I am not to be Pastor emeritus," he added, "but Pastor sine cura"; and after a moment he slowly repeated the words, "Pastor sine cura." It is even so. His influence will abide, and his people will be blessed in it; but it will be without the constant care which St. Paul reckoned among the burdens of a minister's life.

It was a manly presence which he brought to these monthly gatherings. We saw strength and gentleness in his face; it wore a serious look when in repose. The mind was at work. When you spoke to him the face brightened, a smile played around his lips, his voice was cheerful, and you felt his heart when you held his hand. As you talked with him he had the rare combination of virtues, for he was both interested and interesting. He was a man you wished to meet again

and often; he was a good talker; he told a story admirably; it was pleasant to be with him and to learn from him.

He was a good writer; his rhetoric was chaste and vigorous. He used now and then a word to which the reader was not accustomed, yet never with pedantry, to display his learning. Some who are here may remember a report which he presented a few years since as the chairman of the Committee to examine our Library. The theme was dry and formal enough; but men's faces showed their surprise as they saw how much of imagination and humor could be used to enliven a prosaic subject.

He loved books; he liked to own books and to be in daily intercourse with them. He studied our New England history, and his library was well furnished with its literature. A book was to him a person, and his relation to it personal and friendly. He studied the religious movements of the centuries and lectured upon them; he liked to trace the advance of truth and thought. He published a goodly volume whose title suggests the time when it was made, and in the course of its chapters the man is recognized, always moving in and with the light. He called his book "Some Heretics of Yesterday." There were heretics then, in 1884. He gave the name to men who had long before borne it and escaped from it. The list begins with Tauler and the Mystics, and ends with John Wesley. It includes Savonarola, Melanchthon, Calvin, William Brewster, and others. He was tracing an advance and foretelling its continuance. "Every age that the world has seen so far has been prefatory; it is hardly probable that the present age is final." He knew what "the great Protestants," as he called them, had achieved. That was comparatively a small gain, "if they have not established for all succeeding ages the indefectible right to question even their authority, and the perpetual privilege of intellectual readjustment." "A traditional Protestantism has no more right to a claim of infallibility than a traditional ecclesiasticism." This was the temper in which he lived and wrought, and helped to make history. He had no more thought of stopping than his father had of anchoring his ship in the middle of the Pacific Ocean. He was alive and free. I do not know that his mind turned away from the standards of his church. I know that it did not, for if it had his honesty

would have carried him into other service. He would be honest at any cost.

His preaching was after this general pattern. He knew theology, but he taught it as it was related to life, with deep insight and a spiritual intuition. I always heard something I had not known. The thought was fresh, vital, forceful. It was of the highest order. I make allowance for my friendship; but for many years there were not more than two or three in the town who preached so well. He did not seek to attract a crowd, but to do his work as well as he could. Those who heard him carefully were the better for the hearing. They believed in the man. Those who best knew him in his work gave him admiration and affection.

He was entirely sincere. He was kind, patient, generous, abounding in sympathy, — giving himself like the Teacher he trusted and served. Hence he drew men, the best men, and held them. Yet he was not tame, merely submissive, merely good. He was quick to think and to act. He fulfilled the apostolic injunction, to be angry and sin not. His whole being was allied to virtue and the virtues. His mind and heart were pure, and this made his life simple and kindly and just. I have recalled the terms in which Mr. Webster described James Savage: "He would appear very awkward, if he were to try his best to think wrong or to feel wrong"; and these words written over the grave of a lawyer in Mount Auburn: "He had the beauty of accuracy in his understanding, and the beauty of uprightness in his character"; and these better words on the wall of Sanders Theatre, the words of the Hebrew prophet as they stand in the Vulgate: "Qui autem docti fuerint fulgebunt, quasi splendor firmamenti: et qui ad justitiam erudiunt multos, quasi stellæ in perpetuas æternitates."

I have gone as far as the custom of this place will warrant. I may not attempt to reveal his deepest life, the life which was immortal and divine. Yet I may venture one step further. The man lived until he died. His heart, which seemed to fail, kept its life and its rhythm to the end. I cannot better close these poor sentences of mine than with his last word, which was a confession and a hope, a biography and an expectation. There had been silence. Then quickly he breathed out his desire: "Come, Lord Jesus; come quickly"; and with that the longer silence began.

Mr. JAMES SCHOULER read the following paper: —

The Calhoun, Jackson, and Van Buren Papers.

Considerable progress has been made, during the last ten years, in securing for research and preservation the manuscript collections of our leading statesmen. To three of these collections, lately thrown open to the public, I desire to ask your attention for the brief space allotted me. They comprise the private papers left by Calhoun, Jackson, and Van Buren, all distinguished contemporaries of our first national era, and blended in their public service.

The John C. Calhoun collection had disappeared in the course of our Civil War; and when Dr. von Holst, the historian, wrote his biography of that Southern sage and seer for the "American Statesmen Series," he searched for it in vain. In more recent years, however, chiefly through the diligent efforts of our associate member, Professor J. F. Jameson, made on behalf of the American Historical Association, the manuscripts were found and procured. Under his judicious editorial direction they were arranged for publication and printed at length in Volume II. of the Association Report for 1899. On the whole, this collection affords no new essential testimony as to Calhoun's public acts or motives, though strongly confirming the opinions expressed of him by contemporaries who knew him best, and harmonizing well with his public utterances and writings long ago familiar. For Calhoun, however wayward or erratic might have been the development of his public ambition, was a man of singular seriousness and sincerity; as he spoke in Congress or wrote for the press, so at the time did he reveal himself in his private correspondence. No gossip, no confidential or light disclosures escaped his guarded pen. He could scarcely in his prime be deemed intimate with any one; but he dogmatized and spoke or wrote to impress others with his own immediate views. His desire or his despondency over gaining the Presidency, that supreme public honor which, like Clay or Webster, he long hungered for, he made steadily manifest; and, in his later years especially, after he had transferred his ambitious leadership to his own Southern section, few of his close correspondents were men of national renown or non-slaveholders.

These last literary remnants to which I allude confirm, clearly

enough, what history has already asserted upon good authority: that, brought up under pious influences and educated at a New England college, Calhoun started on his public career as a national man, with high aspirations for the welfare of the whole Union; but that, after his downfall from Jackson's favor in 1831, he became, when perceiving the presidential succession closed to him, an organizer of Southern rights, and the persistent advocate of a Southern alliance as against Northern free-labor preponderance and the force of popular majorities at the national polls or in Congress. He became a constant alarmist; he counselled State and Confederate resistance to the Union; he strove to maintain the autonomy of an economic system which kept his fellow-aristocrats in power as staple-raisers, while holding a dusky race in hopeless bondage to till the soil for them. All this the correspondence now printed makes plain. Von Holst has praised Calhoun for his inventive genius in politics, and commended that peculiar corrective of State rights in government which formed his philosophy. The Rt. Hon. James Bryce of England has said of this State rights theory that, while it had some support in America before the Civil War, the result of that struggle has been to demonstrate its futility. Both of these notable assertions should, it seems to me, be somewhat qualified in expression. Calhoun taught State nullification, then State secession, then re-confederation at a seceding State's discretion; and all of these most unphilosophically, as though practically consistent with an existing government of the Union, and capable of normal application by way of peaceable experiment after a national growth of half a century. This was infatuation and folly; and still greater were the folly and infatuation of applying such theories crucially to oppose the humane and emancipating tendencies of the nineteenth century and our charter of Independence itself, in a sectional crusade against civilization. But State rights, as a vital corrective force to national corruption and consolidation, whenever invoked in a grand cause and with due risk of bloody consequences, is still, under our written system, as it ever was, a precious reliance; for in this Union of ours, which is federo-national, a central despotism may, by vicious and unwarranted aggression, assail the chartered rights and liberties of lesser political communities as well as of individuals. And should ever such an emergency unhappily arise, in

centuries to come, States sound and congenial may yet rightfully secede and re-combine, if physically capable, upon the clear assertion of a right of revolution, or of that inherent power which all human society possesses to subvert, change, and establish governments at pleasure, when a last extremity justifies. Nullification, that milder resort, cannot perhaps co-exist with the normal and efficient right of a national government to fix and enforce uniform tariff rates at its constitutional discretion; but now, as in the days of the old thirteen colonies, a State may resist rightfully the arbitrary and tyrannous exactions of a parental or supervising sovereignty; its own government may solemnly protest, may disobey, may rebel. Yet conditions as in 1861, favorable to a conjoint secession, will not readily occur again — where States, contiguous and sympathetic in systems, social, political, and industrial, are found hostile in their ambition to the rest of the Union.

To revert, however, to the Calhoun correspondence, the year 1850, in which he died, brought out ideas and issues for the angry South which forecast the momentous crisis of ten years later. The dying Calhoun is here seen to have been author and instigator of that Southern disunion movement which was renewed in 1860–61. Like Seward and Lincoln later, he had preached "the irrepressible conflict" of labor systems under our composite government; but, in doing so, he sought to preserve and propagate at all hazards that of the two whose doom was already written in the book of fate, and in reality he hastened its downfall.

Of the Jackson and Van Buren collections, I may say that both were recently given to the government of the United States and deposited in the Library of Congress. Their transfer was nearly simultaneous and they admirably supplement one another. It was a great disappointment to me, years ago, when I prepared my own historical narrative covering the Jackson and Van Buren administrations, that access to these papers was denied me. Among the Monroe manuscripts, however, which I had previously explored in the State Department, were many letters from both Calhoun and Jackson, with leading suggestions; and the "Thirty Years' View," besides, which the famous Benton prepared with Blair's concurrence, used diligently the Jackson papers before they were finally

locked up and stored away. To the senior Francis P. Blair those papers had been committed by the dying General, his and Benton's personal friend; but passing down in the Blair family to children and grandchildren, they became, in the course of half a century, a lumbering mass of manuscripts, hidden in dusty chests and liable to utter spoliation. So anxious were historical explorers on this account that a bill in equity was brought in the Washington courts, several years ago, nominally by certain heirs of Jackson, but really on behalf of the public, to recover this collection from the Blair descendants. On the one side it was claimed that Jackson had made the senior Blair the trustee or custodian, merely, of his papers; but, on the other, that he had bestowed them as a gift with full beneficial dominion. How this suit terminated and whether it had an influence upon the final action of the Blair grandchildren, I know not; but the final result has been a happy one in the interests of American history.

The Van Buren collection, on the other hand, was carefully kept and treasured by Van Buren's own heirs and descendants. His family representative courteously gave me indirect information on certain points in 1886–88, but personal access to the papers was allowed to no one. Van Buren himself, in the long years of his calm retirement, seems to have sorted and arranged these manuscripts with sedulous care, using them in an autobiography with which he made much headway, and which, I am told, the government intends to print soon and publish. A popular and profitable use of these papers, by arrangement with private publishers, seems to have been long cherished in the family; but public interest died out, and such a hope, if entertained, was not justified.

In another connection [1] I hope to present in print some of the rare public information which these yet unpublished manuscripts supply. Here let me add, however, that of the two collections the Van Buren is, for its size, much the choicer in material. For the Jackson papers, which are now distributed chronologically at the Library of Congress in pasteboard boxes, contain a considerable mass which was hardly worth preserving: such as reports and abstracts which came to the General in the course of his lesser military operations, and letters, during his civil career, from obscure suppliants and admirers,

[1] See Atlantic Monthly, 1905.

on matters which posterity finds no occasion to recall. A man of action, without training or scholarly habits, does not readily get the right perspective of his deeds for later annalists to consider; and incidents and acquaintances may interest one, from his own personal point of view, which, as connected with a public man, prove unimportant for some later age to study and comprehend. Nor is the evidence clear that Jackson ever methodically went over his own papers for their final preservation. He was constantly corresponding, constantly managing politics, to the end of his long life, absorbed almost altogether in current controversies. Of his own writings, aside from what had appeared in print contemporaneously, we have here a disappointingly small proportion; brief endorsements of reply on letters that came to him, or else meagre drafts, almost illegible, which he hastily transcribed, must content the investigator. Perhaps the best as well as the most characteristic of his private manuscripts in this collection are the letters which he wrote to Blair while in final retirement, and which Blair himself added judiciously to the collection. We find here good letters from John Randolph, Benton, Taney, Kendall, Polk, and others of Jackson's choice correspondents; but Jackson's own letters to such friends went largely astray, never to return.

The Van Buren collection, on the other hand, though smaller, is carefully made up, and admirable taste and discrimination are shown in the contents. Letters, if any there were, which betrayed the deft and artful management of a party machinator, have been winnowed out; and what is left shows Jackson's Northern successor at his best, and tends really to exalt his reputation as a statesman and patriot. For Van Buren had many noble friends and counsellors from first to last, — Madison, Rufus King, Silas Wright, among them, — and choice specimens are to be found here of their several compositions. Though with some chasms and omissions, Van Buren's own letters, too, are very well supplied; and Van Buren, as survivor, seems to have drawn from the Jackson collection, while the senior Blair was custodian, all his own correspondence with his famous predecessor. And this Jackson correspondence, which began in 1831, and continued for some fifteen years with the closest intimacy and political confidence, is on the whole the most significant and freshly im-

portant of the two conjoint collections, as the nation now receives them.

Under the wise and forceful administration of its new official director, Mr. Herbert Putnam, aided by Mr. Worthington C. Ford, as custodian of manuscripts, — a man highly competent in tastes and acquirements for that responsible position, as we ourselves have good reason to know, — the Library of Congress aims to become the great depository of posthumous memorials of our statesmen and leaders of national renown. The Department of State has already transferred to its fireproof shelves the Monroe papers, after its own pious task of publication, bestowing them in large albums, handsomely bound in morocco. Here, too, are to be found the originals of the Polk correspondence; though I imagine that the assortment made by the venerable Bancroft, with the widow's consent, and typewritten years ago, under his personal direction, inclusive of the famous Diary, comprises all that is really valuable for the broader purposes of research; and those copies still repose in the Lenox Library of New York. For other manuscript remains the Library of Congress is reaching out, and I am informed that those of Chancellor Kent and Senator John M. Clayton are already in its possession.

As with the Monroe manuscripts, which in an unassorted mass filled during 1882–84 a choice cupboard in the Library of the State Department, I believe (to speak modestly) I am the earliest, among visitors and investigators from without, to exploit the wealth of these Jackson and Van Buren collections. Certainly, while at Washington, last April, in my quest, I saw the new manuscript bureau of the Library of Congress transferred, with those collections, from its temporary abode in the rear of the general reading room, to more spacious and imposing quarters at the northwest corner of that splendid edifice, on the story above. I sat in the new main room of that bureau, day after day, the sole occupant of a large circular table which had been spaced off with glass partitions, and wrote out my notes amid the clatter of carpenters, armed with hammer and saw, while my courteous host, Mr. Ford, and his assistants were busy in the adjoining stack room, rearranging their precious treasures.

On Capitol Hill all is planned considerately for spectators; and, as in our older temple of legislation across the park, gal-

lery visitors at either wing may look down upon the great law-makers of the American people in their assembled wisdom, so in this newer and hardly less imposing Library building the readers of books sit secluded in the main room, occupied at their tasks, while tourists from north, south, east, or west gaze serenely from above upon the edifying scene. Nor are these new manuscript quarters on the second floor arranged regardless of exhibition effects; for tourists who have sauntered through a corridor of cabinets which display rare curios of native literature, come at length upon a fenced doorway, through which, as before some bank-teller's counter, they may, while excluded from entrance, gaze at will upon the busy occupants of that great round table with subdued awe and curiosity. Methought, last spring as I worked, that in remote years to come, our chief historical scholars and investigators would perchance be seen inside there, close together, each in his own glass hive, working out apart his Hymettus product from the "old, forgotten, far-off" letters and chronicles of ancestral America.

Mr. EDWARD STANWOOD, speaking extemporaneously, gave an account of the Henry Clay Papers which had been recently acquired by the Congressional Library.

Mr. JAMES F. RHODES read a paper on "Negro Suffrage and Reconstruction," of which the following is an abstract: —

It is pretty generally admitted now at the North that the imposition of universal negro suffrage on the Southern States by Congress as a part of its plan of Reconstruction was a mistake. I do not mean to imply that the policy lacks defenders. Able and thoughtful men apologize for it to-day in the same manner as it was justified then by its promoters. They aver that universal negro suffrage was necessary for the protection of the negroes and the Union white men at the South. Other defenders maintain that the plan was a choice of evils, and that there is a reasonable ground for belief that no other scheme would have worked better. Professor von Holst used to defend this view in private conversation with great vehemence, but as he elaborated his idea it seemed to me a *reductio ad absurdum*. Of course you had got to enfranchise the negro, he thundered. How otherwise could you have consti-

tuted the Southern States anew on a loyal basis? But after the negroes obtained the suffrage and showed they did not know how to use it; after the governments set up by their support were an agglomeration of incompetence and corruption at which the world stood aghast, then, Dr. von Holst went on to say, the Southern people were justified in depriving the negroes of the suffrage, first by the cheating method of tissue ballots and then by the more manly way of bulldozing. I must here state that this conversation took place before the movement commenced to deprive the negro legally of his vote by the new State constitutions. Before I finish this brief paper I shall give the conclusions at which I have arrived regarding the reconstruction legislation of Congress, but I desire now to indicate that there was a better plan.

"Nature's patient ways shame hasty man." If ever in our history there was a case of hasty man, it was in the Reconstruction legislation of Congress. The serious discussion began January 3, 1867, and the act was passed over the President's veto March 2. The moderate Republicans who opposed such a drastic measure until they were brought into line by the party lash might well have said, —

> "O most wicked speed
> It is not nor it cannot come to good."

There were men in the country who understood Nature's patient ways. It is not necessary to go beyond this Commonwealth, nor even what we now term greater Boston, to find that principles were laid down in accordance with Nature. They were principles which should have guided Congress in dealing with this novel and difficult question.

The proposition was to give over seven hundred thousand negroes, most of whom had been slaves three years before, the suffrage. They were a mass of childishness and inexperience — "a terrible inert mass of domesticated barbarism," as our President Mr. Adams characterized them in 1861. Would it not have been well first to understand scientifically the negro? and such an understanding was Charles Sumner's for the asking. He had only to apply to his intimate friend Louis Agassiz for the knowledge. I am now going to quote at length from a letter written by Agassiz to Dr. Howe August 10, 1863.

[Mr. Rhodes read copious extracts from this, which is printed in Volume II., page 600, of the "Life and Correspondence of Louis Agassiz. Edited by Elizabeth Cary Agassiz."]

Agassiz considered the negro from the anthropological point of view, and demonstrated that he was not now fit to have conferred upon him political rights.

It was equally essential to understand the white people of the South, those who had fought against the Union and those who too old to go into the army had sympathized freely with the Southern cause. These John A. Andrew understood. In his valedictory address to the Massachusetts legislature January 4, 1866, he said: [Mr. Rhodes quoted Andrew's words as printed on page 607, Volume V., of Mr. Rhodes's "History of the United States."]

It is perfectly clear to me that the Southern States should have been reconstructed on the principles laid down by Agassiz and Andrew, and I feel confident that had such been the policy the Southern question and the negro question would not have been so serious as they admittedly are to-day.

Mr. Rhodes then gave his opinion of the Reconstruction Acts of March 2 and March 23, 1867, promising a thorough elaboration of this in a future volume of his History.

Mr. Melville M. Bigelow spoke briefly of the punishments for crime in the Colonial and Provincial Periods of Massachusetts.

Hon. Samuel A. Green communicated an abstract of the following paper: —

Joseph Eliot, Minister of Guilford, Conn., 1664–1694.

Some weeks ago there came into the library of the Historical Society a volume of old pamphlets, of which one is of special interest to cataloguers and bibliographers. The book contains eight tracts printed in Boston at various times between the years 1722 and 1738, including two sermons by Cotton Mather and one sermon by Increase Mather. It is in the original binding, and presumably the volume was bound near the middle of the eighteenth century.

A Copy of an Excellent LETTER
Wrote by the Reverend
Mr. *J. E.* of *Guilford*, Deceased, to his Brother
Mr. *B. E.* of *Roxbury*,
Found in the Study of the Reverend
Mr. *Joseph Belcher*,
Late of *Dedham*, since his Decease:
The Second Edition very carefully corrected
from Five several Manuscripts:
BEING
An Answer to this Question,
How to Live in this World, so as to Live in Heaven?

The pamphlet, to which allusion is here made as of particular interest, consists of four pages, and begins with the half-title given above, line for line. It is dated at "Guilford, May 18, 1664," and is signed "J. E." At the bottom of the last page appears the line, "*Boston:* Printed in the Year 1738."

In former years this Letter had a remarkable circulation, having passed through many editions under various titles both in this country and in England. I have traced twenty-two in different libraries, of which four are broadsides, including ten editions in the British Museum as shown by the printed catalogue, of which seven are not found by me elsewhere; and probably there are many others. The Letter is a serious and well-written production that appealed strongly to the religious thought of that period, and undoubtedly had great influence in moulding the life of its readers. At various times it appeared under different titles, more frequently under the heading of "The Life of Faith"; and a few times it was printed in connection with "Mr. [Jonathan] Mitchel's Letter to his Brother." In fourteen editions the Letter is supplemented by some Verses by the Reverend Mr. Killinghall; in one instance by Joseph Alleine's "Rules of Self-Examination"; in another by six four-line stanzas on the "Sufficiency of Pardon"; in a third by "The Triumph of Glory; a letter left by the Rev. S. Hayward"; and in still a fourth by "A few Verses," thirteen four-line stanzas, by Alexander Lumisden. The Historical Society has a copy of Eliot's Letter engraved on copper in London, and issued as a broadside.

The latest edition of the Letter, so far as my knowledge goes, was published by the American Tract Society, Boston, during the early part of the War of the Rebellion, and appeared as "No. 6" in a series of short tracts which were brought together under the title of "The Soldier's Companion," and circulated in the army. Not fewer than seven editions have been printed in London, and perhaps two or three more where the place of publication is not given, beside one edition at Bath, England, and another at Falkirk, Scotland. In these several versions there are slight verbal variations.

It would be interesting to find out just when the first edition of the Letter was printed, of which no specimen is known now to be extant. Of course, it was after the death of the Reverend Joseph Belcher, — which took place at Roxbury, on April 27, 1723, — and before the year 1738, when the second edition was printed. I am strongly of the opinion that the second edition followed rather closely the title of the first, though this is only a matter of opinion and not of evidence. I think so from the statement that it was "very carefully corrected from Five several Manuscripts." In early times such productions were often circulated in writing; and it is highly probable that there was a considerable number of manuscript copies in circulation when the Letter was first printed. It was then very proper to note the fact in the title; and presumably the second edition was set up from a printed one, and the compositor followed copy. In another edition, perhaps the third, which is appended to "Mitchel's Letter," it is said in the heading that the Letter of J. E. was "carefully corrected from Five several Manuscripts: by Thomas Prince."

The interest in this particular edition lies in the fact that from it the authorship is learned, which is given in only one other copy. With no doubt whatever "J. E.," mentioned in the title, was the Reverend Joseph Eliot, who graduated at Harvard College in the Class of 1658. He was a son of John Eliot, the Apostle to the Indians, and an elder brother of Benjamin, of Roxbury, at that time an undergraduate in the College, to whom the Letter was addressed. In 1664 the writer was settled at Guilford, Connecticut, where he remained as the minister of the town about thirty years; and there he died on May 24, 1694. For a long time his brother Benjamin

was an assistant to his father, the Apostle ; and he is mentioned by Chief Justice Sewall, in his Diary (I. 76, 186, 187), under date of May 13, 1685, and August 25, 1687. According to the last entry he was "much touch'd as to his Understanding," which is a mild expression for mental trouble.

Another interesting feature connected with the publication is the fact that in most libraries it is catalogued under Mr. Belcher's name, which is the only one that appears in the title of most of the editions. As a partial exception to this latter statement it may be mentioned that in three editions, all printed near the same period of time, one probably in Boston as early as 1746, one in New London shortly before 1760, and a third in Boston shortly afterward, the name of John Elliott or John Eliot is given as the writer, but even this ascribed authorship was soon discredited and disappeared from the tract. The initials "J. E." (Joseph Eliot), signed to the pamphlet, probably led to this confusion of names.

Mr. Sibley, in his "Harvard Graduates" (I. 530; II. 164) gives biographical sketches of both Joseph and Benjamin Eliot, but he does not mention Joseph's connection with the authorship of this widely circulated Epistle.

Eliot's Letter must have had some merit as a literary production, inasmuch as it passed through so many editions in widely separated lands. It seems to have struck a note in harmony with the religious feeling of many persons, and to have furnished spiritual nourishment to famished souls.

A list of shortened titles of the different editions of the Letter, arranged alphabetically, and in part chronologically, with date and place of publication so far as known, is given below. The four titles appended to "Mr. Mitchel's Letter" are shown by the paging.

A copy of an excellent letter .	4 pp.	Boston,	1738
" " " " " " . .	18–23 pp.	[" ?	1750?]
" " " " " " . .	19–22, (1) pp.	[" ?	1746?]
Copy of a letter	broadside.	Boston.	
" " " "	"	"	
" " " "	4 pp.	"	
A copy of a letter	8 pp.	New London,	1800
The life of faith. An answer .	4 pp.	London,	1848
" " " " : a letter . .	8 pp.	"	[1806?]
" " " " , exemplified .	8 pp.	"	1741

The life of faith, exemplified .	8 pp.	London,	1751
" " " " " . . .	broadside.		
" " " " " . . .	7, (1) pp.	Bath,	[1780]
" " " " " . . .	8 pp.	Falkirk,	1783
" " " " " . . .	12 pp.		1784
" " " " " . . .	broadside.	London.	
" " " " " . . .	3, (1) pp.	["	1840?]
" " " " " . . .	4 pp.	Boston,	[1862?]
" " " " . In a Letter .	19–23, (1) pp.	New London,	[1755?]
" " " " . " " " .	18-21, (1) pp.	Boston,	[1764?]
" " " " : recommended	8 pp.	London,	1778
" " " " " . .	7, (1) pp.	"	1780

Remarks also were made during the meeting by the PRESIDENT, and Messrs. EDWARD CHANNING, EDWARD STANWOOD, F. B. SANBORN, GAMALIEL BRADFORD, G. STANLEY HALL, and THOMAS L. LIVERMORE.

Rev. Dr. George A. Gordon was appointed to write the memoir of Rev. Dr. Herrick; Rev. Dr. A. V. G. Allen the memoir of Rev. Dr. Donald; Hon. W. W. Crapo the memoir of John S. Brayton; Hon. James M. Barker the memoir of Henry W. Taft; Franklin B. Sanborn the memoir of George H. Monroe; and Moorfield Storey the memoir of Ebenezer Rockwood Hoar, which was to have been prepared by George F. Hoar. The preparation of a memoir of George F. Hoar was referred to Messrs. Nathaniel Paine and G. Stanley Hall.

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